

Wai 2750

Housing on Māori Land, c.1870-2021



Dr Ella Arbury and Dr Fiona Cram

A report commissioned by the Waitangi Tribunal for the Housing Policy and Services Inquiry
(Wai 2750)

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Cover Images

Top: Photograph of 'Average Maori home', c. 1937, New Zealand Labour Party: Records. Ref: MS-Papers-0270-027-01. Alexander Turnbull Library, Wellington, New Zealand. /records/23078531

Bottom: 10 new whare built for Ngāti Whātua Ōrākei kaumātua, from 'The Land Laid Bare: Why Māori can't build on their whenua', Radio New Zealand, 30 May 2022, <https://www.rnz.co.nz/news/te-manu-korihi/468122/the-land-laid-bare-why-maori-can-t-build-on-their-whenua> (accessed 26 January 2023)

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Commissionee responsibilities

The authors of this report, Dr Fiona Cram and Dr Ella Arbury, are each responsible for different parts of the report. Chapter One, Chapter Two, Chapter Three, and the bibliography were produced by Ella, and Chapter Four, Chapter Five, and Chapter Six were produced by Fiona. The introduction and conclusion were produced by both commissionees.

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Introduction

This report examines housing policy and services on Māori land from c.1870 to 2021. This history of housing on Māori land begins in the nineteenth century in the context of the introduction of the Native Land Court, native land legislation, and the New Zealand Wars. This report examines how the Crown monitored housing and informed itself about housing on Māori land from the late nineteenth century to the early 2020s. It discusses how adverse Māori health impacts were connected to substandard housing conditions on Māori land throughout this time period and how this influenced government housing assistance. The various government policies and legislation that supported, or constrained, the construction of housing on Māori land are described and, in many cases, placed within the wider context of their time by discussing the factors that restricted their implementation. This report examines the barriers to building housing on Māori land and compares government housing assistance for Māori land with that available for general land. Throughout this report, we provide examples of Māori seeking to address the housing needs of their communities.

This report is one of six research casebook reports that have been commissioned. An outline of these six reports is provided next before we describe the commissioning questions for this report, our report's methodology, and some of the challenges for this report. The main primary and secondary sources for this report are then canvassed, followed by an overview of the report structure and the chapters.

Research casebook programme

On 9 March 2021, Judge Craig Coxhead (the presiding officer for the Housing Policy and Services Kaupapa Inquiry) directed a research casebook programme for Stage Two of the Housing Policy and Services Kaupapa Inquiry (Wai 2750) that comprised six casebook research reports. Our report is one of the five Waitangi Tribunal-commissioned reports.¹ The sixth report is a joint Crown-claimant report, 'Historical Māori Housing 1840–1934', written by Paul Christoffel.² This sixth report does not share our report's focus on housing on Māori land.

In addition to our report, the Tribunal-commissioned reports include Max Nichol and Timothy Gassin's report, 'Historical Māori Housing Commission, 1935–1990', which continues chronologically from Christoffel's report and examines the Crown's provision of housing services and policy for Māori with

¹ Wai 2750, #2.5.40, 12 March 2021

² Paul Christoffel 'Historical Māori Housing 1840–1934', 2022, (Wai 2750, #A9)

a focus on Māori housing on general land.³ The three other reports follow chronologically from Nichol and Gassin’s report, from 1991 to 2021. Charles Waldegrave’s report, ‘Māori Home Ownership, 1991–2021’, concentrates on Māori home ownership on both general and Māori land.⁴ Elizabeth Rowe’s report, ‘The Private Rental Market and Māori: 1991 to 2021’, outlines the relationship between Māori and private rental housing market, with a focus on significant reforms to the private rental market during this time period and the ongoing ramifications of these reforms for Māori.⁵ Shiloh Groot’s report ‘Social housing, special housing needs and Māori, 1991–2021’ focuses on the ‘contemporary legislation, policy and practices that underpin the social housing sector for Māori renters’ including ‘Māori experiences of and access to social and special needs housing provided either directly by the Crown or under Crown oversight.’⁶

Commission questions

On 1 February 2022, Judge Coxhead directed us to prepare this report on housing on Māori land from c.1870 to 2021.⁷ The memorandum-directions commissioning this report (reproduced in Appendix I) required the following key issues to be addressed where possible:

- (a) To what extent and by what means did the Crown consult with Māori communities over their housing needs and preferences and over Crown housing initiatives during the period between 1870 to 2021 with respect to Māori land? In what ways did Māori communities seek to participate in housing initiatives on Māori land to address the needs of their communities, such as through Crown and Māori organisations, and Māori community and political leaderships? What promises or undertakings, if any, did the Crown make to Māori communities and their leaderships in relation to the provision of housing assistance on Māori land and with what results?
- (b) How did the Crown monitor and inform itself of Māori housing needs and preferences with respect to Māori land through this time period, including through government inquiries such as the 1970 Royal Commission into Housing, and with what major initiatives in housing policy and legislation?
- (c) What kinds of targeted legislative and policy responses did the Crown make to address identified housing needs on Māori land during this period, including in response to issues such

³ Max Nichol and Timothy Gassin, ‘Historical Māori Housing, 1935–1990’, 2023, draft report, (Wai 2750)

⁴ Charles Waldegrave, Josh Reid, and Michael Schraa, ‘Māori Home Ownership, 1991–2021’, 2022, draft report, (Wai 2750)

⁵ Elizabeth Rowe, ‘The Private Rental Market and Māori: 1991 to 2021’, 2022, draft report, (Wai 2750)

⁶ Shiloh Groot, Social housing, special housing needs and Māori, 1991–2021’, 2023, draft report, (Wai 2750), p. 9

⁷ Wai 2750, #2.3.4

as multiply owned Māori land, rural employment, and postwar urbanisation, and through such means as lending assistance for house construction and repairs, housing loans and any other housing assistance directed specifically towards Māori land? How effective were such targeted programmes for Māori?

(d) What kind of housing assistance programmes were available for building houses on Māori land such as the Māori Affairs loans programme under the Native (later Māori) Housing Act 1935, Kāinga Whenua Loans and Infrastructure Grants schemes, and with what results? What barriers, if any, did Māori encounter when trying to access government housing programmes, services and lending assistance for housing, including papakāinga housing, during this period and how did housing assistance available for Māori land compare to assistance programmes available for general land?

(e) What was the Crown response to any barriers or discrimination experienced by Māori in attaining housing on Māori land during the period under review, including barriers which may have hindered the development of housing, including papakāinga housing, on Māori land such as, local authority rating, zoning, planning, and consenting processes? How effective were any Crown efforts to address such issues, including by legislative and other means?

(f) What were the impacts for Māori of Crown housing legislation and policies over this time period in terms of adequate housing and access to housing on Māori land? What adverse health impacts for Māori, if any, were linked to inadequate housing and access to housing assistance on Māori land during the period?⁸

Methodology

This report uses a Kaupapa Māori research methodology. Using this inquiry and analytical approach, we attempt to affirm the importance of Māori self-definitions and valuations alongside the provision of a structural analysis of the barriers and facilitators of Māori achieving their housing aspirations. A Kaupapa Māori research methodology does not exclude the use of compatible research methods. In this report, we draw on multiple research methods including source or external textual criticism (comparing multiple primary and secondary sources to provide understanding about past events) and critical textual analysis (the examination of individual documents with regard to their author, context, purpose, meaning, and significance). These methods are useful for examining housing on Māori land as most of our sources were written by Pākehā and it is important to consider the potential biases and prejudices of these Pākehā writers.

⁸ Wai 2750, #2.3.4, pp. 2-3

Preparation for this report began by reading all eligible claims (at the time of commissioning) and assessing the issues they raised that appeared to be relevant to housing on Māori land from c.1870 to 2021. A table of these claims was later prepared to assist us with our research. This table included the details of each claim, the issues raised, potential sources for our report referenced in these statements of claims, and which chapter(s) these claims would be most relevant for. These claims helped guide our research process and led us to some useful source material for our report. Throughout this report, we have included the details of some statements of claims in our footnotes to indicate when we have used sources referenced in these claims. Waitangi Tribunal reports for this inquiry will draw more heavily on these statements of claims.

A research hui held in Wellington on 24 May 2022, facilitated by the Waitangi Tribunal Unit, also informed this report. At the hui, we presented an update on the planning, research, and drafting for this report. We responded to questions from claimant and Crown counsel and invited claimants to contribute information that they considered important for us to consider for our report. A draft version of this report was then distributed to parties on 27 January 2023 and written feedback was received from claimant counsel and the Crown on behalf of government agencies. The final version of this report responded to this review feedback, and also the Waitangi Tribunal Unit's Chief Historian review.

Challenges

In addition to much of our source material being written by Pākehā, we note three other key challenges encountered in our research for this report.

Defining 'Māori land' has been a challenge. We have largely used this term to refer to multiply-owned land that has never been alienated from Māori ownership. However, in some cases, we have discussed land that was confiscated, returned, or purchased back by Māori communities. The Māori Land Court – Te Kooti Whenua Māori defines customary land as land that has never been acquired by the Crown or had its ownership determined by the Māori Land Court, so it does not have a Land Transfer Act Title or Deed. Māori freehold land, by comparison, is land that has been investigated by the Māori Land Court.⁹ We also wish to make it clear that while the focus for this report is housing on Māori land, sources did not always differentiate between Māori land and general land. This has meant that we sometimes needed to discuss Māori housing more generally while being mindful of remaining within the scope of our report.

⁹ Māori Land Court, 'Your Māori land', *Māori Land Court - Te Kooti Whenua Māori*, <https://www.maorilandcourt.govt.nz/your-maori-land/#maori-customary> (accessed 14 March 2023)

Locating reliable quantitative data about housing on Māori land has also been a challenge. The fragmentary nature of our sources and lack of statistics or poor-quality data, especially for the earlier part of the period of this report, make a quantitative analysis challenging. We therefore use statistical sources, such as census data, where possible, while also acknowledging their limitations as this has made us cautious about making causal attributions. Using census data was not without its challenges. Prior to 1974, classification of people as belonging to the Māori race could depend on the calculation of blood quantum or on census enumerators' decisions about whether people with both Māori and Pākehā ancestry would be recorded as Māori or European; for example, depending on people's lifestyles.¹⁰ Making comparisons between censuses about the Māori population or Māori housing has also been difficult due to changing definitions of who was officially considered to be Māori.

The final challenge noted here is that throughout much of this report's period, housing quality measures and houses were not designed with intergenerational Māori households in mind. For example, Pākehā crowding or overcrowding definitions used in a census, housing survey, or by a government official may not have been suitable for a Māori context. As noted by architectural historian Deidre Brown (Ngāpuhi, Ngāti Kahu, Te Aupouri, Te Rarawa):

“Crowding” ... is a ... problematic term. Historically it has been applied as a form of criticism, particularly aimed at Indigenous peoples, of households that include three or more generations or accommodate the short- and long-term needs of relatives who are not in parent/child relationships with the principal householders ... extended family living is important to Māori well-being and when family stress results from having too many people under one roof ... it is architecture that has failed the family need not the reverse scenario.¹¹

Notes on sources

Our report draws heavily on the Archives New Zealand's Auckland and Wellington repositories. These archival collections hold substantial material primarily from government departments and officials relating to housing on Māori land. These archives also include letters and petitions from Māori to government officials relating to housing and mortgages for Māori land. The National Library also holds multiple primary sources relevant to housing on Māori land including twentieth-century New Zealand censuses and books. This report has also drawn on primary sources available online including *Papers Past*, *Appendices to the Journals of the House of Representatives*, *New Zealand Parliamentary Debates*,

¹⁰ Helen Robinson, 'Te taha tinana: Māori health and the Crown in Te Rohe Pōtae inquiry district, 1840–1990', 2011, (Wai 898, #A31), p. 67

¹¹ Deidre Brown, 'Tūrangawaewae Kore: Nowhere to Stand', in Evelyn J. Peters, and Julia Christensen (eds), *Indigenous Homelessness: Perspectives from Canada, Australia, and New Zealand*, Winnipeg: University of Manitoba Press, 2016, pp. 333-334

and *New Zealand Official Year-book*, online news websites (including *RNZ*, *Stuff*, *Te Ao Māori*), and government departments' websites.

Images used in this report have been sourced from the Alexander Turnbull Library's online collection available through the National Library's website, newspapers, books, government publications (including the *Appendices to the Journals of the House of Representatives*, *Te Ara – the Encyclopedia of New Zealand*, and the *nzhistory.govt.nz* website), and other publications and websites. Full reference details for all figures are provided throughout the report.

Relevant Waitangi Tribunal reports and unpublished technical research reports commissioned for a variety of Tribunal inquiries by the Tribunal, the Crown Forestry Rental Trust, and the Crown have also been consulted. Key research reports for our report included Terry Hearn's report 'The social and economic experience of Porirua ki Manawatu Māori: an analysis and appraisal', Helen Robinson's report on Māori health from 1840 to 1990 in the Te Rohe Pōtae inquiry district, Bruce Stirling's report on Wairarapa Māori and the Crown for the Wairarapa ki Tararua inquiry, and Paul Christoffel's report on education, health, and housing for the Taihape: Rangitīkei ki Rangipō inquiry and his recent report for this inquiry.¹² The Waitangi Tribunal, in its *Tauranga Moana* report on post-raupatū claims, addressed issues relating to housing on Māori land from the nineteenth century through to the early 1990s and 2000s. This report has also drawn on the findings of previous Tribunal reports on Māori land legislation and the connection between substandard housing and adverse Māori health.¹³

The report also draws on a number of books, articles, and chapters from edited collections. For Part One of this report, Deidre Brown's book *Māori Architecture: From Fale to Wharenui and Beyond*, provided a detailed history of Māori architecture.¹⁴ Other works also provide historical context for these first three chapters. These include Raeburn Lange's *May the People Live: A History of Māori Health Development 1900–1920*, Derek Dow's *Maori Health and Government Policy 1840–1940*, and *Tangata*

¹² Terry Hearn, 'The social and economic experience of Porirua ki Manawatu Māori: an analysis and appraisal', 2019, (Wai 2200, #A219); Helen Robinson, 'Te taha tinana: Māori health and the Crown in Te Rohe Pōtae inquiry district, 1840–1990', 2011, (Wai 898, #A31); Bruce Stirling, 'Wairarapa Maori and the Crown; Volume Four: Nonoke, the Struggle', 2002, (Wai 863, #A51); Paul Christoffel, 'Education, Health and Housing in the Taihape Inquiry District, 1880–2013', 2016, (Wai 2180, #A41); Paul Christoffel, 'Historical Māori Housing 1840–1934', 2022, (Wai 2750, #A9)

¹³ Waitangi Tribunal, *Turanga Tangata Turanga Whenua: The Report on the Turaranganui a Kiwa Claims*, Wellington: Legislation Direct, 2004, Vol. 2; Waitangi Tribunal, *The Hauraki Report*, Wellington: Legislation Direct, 2006; Waitangi Tribunal, *Te Tau Ihu o te Ika a Maui: Report on Northern South Island Claims*, Wellington: Legislation Direct, 2008; Waitangi Tribunal, *He Maunga Rongo: Report on Central North Island Claims*, Wellington: Legislation Direct, 2008; Waitangi Tribunal, *Wairarapa ki Tararua Report*, Wellington: Legislation Direct, 2010; Waitangi Tribunal, *Te Mana Whatu Ahuru: Report on Te Rohe Pōtae Claims*, Wellington: Pre-publication version, 2018; Waitangi Tribunal, *The Hauraki Report*, Wellington: Legislation Direct, 2006

¹⁴ Deidre Brown, *Māori Architecture: From Fale to Wharenui and Beyond*, Auckland: Penguin Group, 2009

Whenua: A History by Atholl Anderson, Judith Binney, and Aroha Harris. Ben Schrader's 2005 book *We call it home: A history of State Housing in New Zealand* and Gael Ferguson's 1994 book, *Building the New Zealand Dream* include substantial material about government housing policies for both Māori and Pākehā. Works about Māori housing by historians Angela Wanhalla and Melissa Matutina Williams were also helpful for these chapters.¹⁵

Relevant theses for Part One of this report include Mark Krivan's MA thesis, 'The Department of Maori Affairs Housing Programme, 1935–1967', and Claudia Orange's MA thesis, 'A Kind of Equality: Labour and the Maori People 1935–1949', which examined the First Labour Government's efforts to improve Māori housing during this period as part of wider discussions about that government's policies for Māori.¹⁶ The first three chapters for this report also build on research from other theses including Matjato Neo Mateane's Bachelor of Architecture thesis ('Maori Housing Programme in New Zealand - Its history, services currently offered and issues of major concern'), Fleur Palmer's PhD thesis ('Building Sustainable Papakāinga to Support Māori Aspirations for Self-determination'), John Armitage's B.Arch thesis ('Māori Housing in New Zealand'), Alison Day's MA thesis ('"The Māori Malady": The 1913 smallpox epidemic and its nineteenth century background'), Ashley Gould's PhD thesis ('Proof of gratitude? Soldier Land Settlement in New Zealand After World War I'), and Ella Arbury's PhD thesis ('A Healthy Home: Housing and Health in Tāmaki Makaurau/Auckland 1918–1949').¹⁷

Part Two of this report also drew on some theses used in Part One along with other MA and PhD theses. These included Merata Kawharu's PhD thesis ('Dimensions of Kaitiakitanga: An investigation of a customary Maori principle of resource management'), Simon Campbell's MA thesis ('Restructuring New Zealand housing policy 1990–1998: an institutional analysis') and Brigid Te Ao McCallum

¹⁵ Angela Wanhalla, 'Housing Un/healthy Bodies: Native Housing Surveys and Māori Health in New Zealand 1930–45', *Health & History*, 8, 1, 2006, p. 100; Melissa Matutina Williams, *Panguru and the City: Kāinga Tahi, Kāinga Rua: An Urban Migration History*, Wellington: Bridget Williams Books, 2015

¹⁶ Mark Krivan, 'The Department of Maori Affairs Housing Programme, 1935–1967', Massey University, MA thesis, 1991; Claudia Orange, 'A Kind of Equality: Labour and the Maori People 1935–1949', MA thesis, University of Auckland, 1977

¹⁷ Matjato Neo Moteane, 'Maori Housing Programme in New Zealand - Its history, services currently offered and issues of major concern', Research dissertation, Bachelor of Architecture, Victoria University of Wellington, 1984; Fleur Palmer, 'Building Sustainable Papakāinga to Support Māori Aspirations for Self-determination', PhD thesis, Auckland University of Technology, 2016; John Armitage 'Māori Housing in New Zealand', B.Arch. thesis, University of Auckland, 1986; Alison S. Day, '"The Māori Malady": The 1913 smallpox epidemic and its nineteenth century background', MA thesis, University of Auckland, 1998; Ashley Gould, 'Proof of gratitude? Soldier Land Settlement in New Zealand After World War I', PhD thesis, Massey University, 1992; Ella Arbury, 'A Healthy Home? Housing and Health in Tāmaki Makaurau/Auckland 1918–1949', PhD thesis, University of Auckland, 2019

Livesey's MSc thesis) 'He Kāinga Hou ki te Hau Kāinga - Housing development on multiply-owned ancestral land in a high growth area of New Zealand').¹⁸

For Part Two of this report, key secondary sources included George Asher and David Naulls' 1987 report for the New Zealand Planning Council, *Māori land* and Edward Douglas's 1986 report *Fading expectations: The crisis in Māori housing*, which provided an overview of Māori voices and aspirations and government responsiveness for Chapter Five.¹⁹ G.V. Butterworth and H.R. Young's 1990 publication, *Māori Affairs*, provided insights into a key government mortgage lender and Māori and non-Māori actors who worked to improve Māori housing.²⁰ Jacinta Ruru's 'Papakāinga and Whānau Housing on Māori Freehold Land' chapter in *Revised legal frameworks for ownership and use of multi-dwelling units* (2017) was an important source for the final chapter of this report.

Government reports were also key primary and secondary sources for Part Two of this report. These reports included the Office of the Auditor-General's performance audit, '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', and its 2014 follow-up report, as well as the 2012 New Zealand Productivity Commission report on Housing Affordability. Te Puni Kōkiri research inquiries and consultation reports, as well as reviews of the performance of other government departments, have been very helpful. More recently, national Māori housing strategies and accompanying evaluation reports from the Housing New Zealand Corporation and Te Puni Kōkiri have added to understandings of how legislative and policy changes have been actioned. The website reporting of more recent initiatives, particularly by Te Tūāpapa Kura Kainga – Ministry of Housing and Urban Development, has provided a wealth of information, including data.

Housing research over the past 30 to 40 years has informed this work, including research undertaken by the Māori Women's Research Group, and by Robin Kearns, Kay Saville-Smith, Bev James, Charles Waldegrave, Philippa Howden-Chapman, Larry Murphy – many of whom have worked in collaboration

¹⁸ Merata Kawharu, 'Dimensions of Kaitiakitanga. An investigation of a customary Maori principle of resource management', PhD thesis in Social Anthropology, University of Oxford, 1998; Simon Campbell, 'Restructuring New Zealand housing policy 1990–1998: an institutional analysis', University of Canterbury, 1999; Brigid Te Ao McCallum Livesey, 'He Kāinga Hou ki te Hau Kāinga - Housing development on multiply-owned ancestral land in a high growth area of New Zealand', MSc thesis, Erasmus University Rotterdam, 2010

¹⁹ I.H., Kawharu, *Maori land tenure: Studies of a changing institution*, New York: Oxford University Press, 1977; George Asher and David Naulls, *Maori land. Planning Paper No. 29*, Wellington: New Zealand Planning Council, 1987; E.M.K. Douglas, *Fading expectations: The crisis in Māori housing*, Wellington: Department of Māori Affairs, 1986

²⁰ G.V. Butterworth and H.R. Young, *Māori Affairs*, Wellington: Iwi Transition Agency, 1990

with Māori communities and often with Māori research team members.²¹ The work of Māori researchers has also added to understandings of Māori housing aspirations and the barriers to achieving them.

Limitations for our primary source research included some potentially useful archive files being classified as confidential and therefore inaccessible to us. Another limitation was the time it took for some government departments and agencies to respond to our requests for information about housing on Māori land with the result that some material requested has not been able to be incorporated in this report. Te Tūāpapa Kura Kainga – Ministry of Housing and Urban Development is currently collating Māori housing data in response to the Wai 2750 inquiry, but their work is still in its formative stages and thus not included.

For a full list of primary and secondary sources consulted, please see the bibliography.

Report structure and outline

This report presents the information thematically across six chronological eras. It consists of eight chapters. It is divided into Part One (chapters one to three authored by Dr Ella Arbury) and Part Two (chapters four to six authored by Dr Fiona Cram). The chapters in our report are structured according to a series of headings presenting issue-questions to be resolved. These questions have mostly been drawn from questions in the memorandum-directions and adapted, where necessary, as the research process evolved. Issues of housing on general land are not considered except where necessary for context and comparison. Māori housing on general land will be considered in depth in other reports commissioned for this inquiry.

All chapters, except Chapter Five, include case studies of initiatives undertaken by Māori leaders and organisations seeking to address the housing needs of Māori communities, how these fared, and how the Crown responded to these efforts. The case studies are used to help answer how Māori communities sought ‘to participate in housing initiatives on Māori land to address the needs of their communities, such as through Crown and Māori organisations, and Māori community and political leaderships’.²² They are not necessarily representative of broader national trends, and in many cases were chosen because they were well-documented examples of how unique Māori communities were addressing their housing needs.

²¹ Māori Women’s Housing Research Project, *For the sake of decent shelter*, Wellington: Housing Corporation of New Zealand, 1991

²² Wai 2750, #2.5.40, 12 March 2021

Chapter One begins with a discussion about nineteenth-century native land legislation, the Native Land Court, and land confiscation. It examines how this legislation and land confiscation affected the ability of Māori to build housing on their remaining land. It describes how the Crown monitored and informed itself about Māori housing during this period. This chapter also considers contemporaneous legislation for general land (including Advances to Settlers), changes in housing design and building materials, the impact of local authority rating and public works legislation, and how adverse health impacts were connected to inadequate housing on Māori land. The unique and well-documented Māori communities of Parihaka in Taranaki and Pāpāwai in the Wairarapa feature as case studies.

Chapter Two covers the period 1900 to 1929 and starts with a discussion about how the Crown monitored housing on Māori land at this time. It examines how typhoid, tuberculosis, and influenza were all connected to substandard housing on Māori land during this period and the Health Department's attempts to improve Māori health through better housing. This chapter discusses the Liberal Government's first state housing programme (Workers' Dwellings Act 1905), government housing loans (Government Advances to Workers Act 1906 and the State Advances Amendment Act 1923), and the housing assistance these initiatives provided to Pākehā. It described how the Māori Land Amendment Act 1905, and the Native Land Settlement Act 1907 restricted access to mortgage finance. This chapter also examines the Māori-councils system established under the Maori Councils Act 1900, which set by-laws in their district including rules for housing on Māori land. This chapter includes Te Puea Hērangi's efforts in the Waikato to improve housing conditions on Māori land by re-purchasing land that had been lost and encouraging healthier housing conditions as a case study, alongside the construction of new Māori communities under the leadership of Rua Kēnana (at Maungapōhatu in Te Urewera) and Tahupōtiki Wiremu Rātana (near Whanganui), which also attempted to provide healthier housing conditions.

Chapter Three looks at the period from 1930 to 1949. It begins by outlining the new ways in which the Crown informed itself about Māori housing conditions through extensive surveys before continuing and expanding on the previous chapter's examination of land development schemes. It then examines the Native Housing Act 1935 and how it enabled loans for the construction of houses and services (including, for example, sanitation, electricity, and piped water supply) on Māori land. The 1938 Amendment to the Act established a special housing fund for low-income Māori to improve access to these government loans. This chapter compares government housing assistance for Māori with that provided for Pākehā through state housing (Māori were initially excluded from state housing) and State Advances loans. The chapter also considers how adverse health impacts for Māori continued to be connected to inadequate housing. This chapter examines housing on Māori land at Ōrākei, Waiwhetū, and Pāpāwai as case studies to examine how Māori sought to address their communities' housing needs and the impacts of Crown legislation and policy on housing on Māori land.

Chapter Four covers the period 1950 to 1984, when internal migration saw Māori transition from a rural-based population to a largely urban people. Accompanying this change was a Crown shift away from the provision of rural housing to responding to the housing needs of urban Māori. The 1961 Hunn Report, with its focus on integration, underpinned policies related to both Māori land and Māori housing. The Hunn Report was then followed in 1965 by the report of the Pritchard-Waetford inquiry into Māori land which, despite Māori opposition, led to the Māori Affairs Amendment Act 1967 (repealed 1974) and the increased authority over Māori land of the Māori Trustee and county councils. Māori also opposed the Town and Country Planning Act 1977 and its degradation of Māori Land Court authority. During this time the state of disrepair of Māori rural housing continued to be documented, with the 1970 Commission of Inquiry into Housing appalled by this, but unsure how to respond. Mortgage finance could be obtained for building on Māori land provided it was partitioned into separate shares, but restrictive planning policies could prove to be an insurmountable barrier to building housing. Case studies in this chapter consider how Māori in Tauranga sought to address the housing needs of their communities on their land in urban areas, and how Crown legislation and policies affected the construction of housing on Māori land in Te Kūhā–Waimako.

Chapter Five covers the period 1985 to 2007, when the Crown embarked on programme of housing and other economic reforms. These reforms sparked a counter-migration of Māori, from urban centres to rural towns, because the gains Māori could make in cities ceased to outweigh the pull of their homelands. The formation of the Papakāinga Housing Research Group in 1984 and its development of a scheme endorsed by Māori for enabling people to build housing on Māori land is described. The resulting Papakāinga Lending Scheme (1985–2008) administered by Housing New Zealand Corporation was at odds with the recommendations of the Papakāinga Housing Research Group in that mortgage finance was secured against a relocatable house. The Housing Corporation also administered the Rural Housing Programme (2001–2011) which should have provided an avenue for mortgage finance for housing but instead became largely a source of finance for critical repairs to rural Māori housing. Other funding sources for housing on Māori land during this time period are also discussed, alongside relevant legislation such as Te Ture Whenua Māori Land Act 1993 and the Resource Management Act 1991.

Chapter Six covers the period 2008 to 2021. This chapter considers recent reports (including the Auditor-General’s 2011 and 2014 reports and the New Zealand Productivity Commission’s 2012 report) about the aspirations of Māori to build housing on their own land and the challenges they have faced. He Whare Āhuru He Oranga Tāngata – The Māori Housing Strategy, published in 2014, aimed to grow the Māori housing sector and improve housing outcomes for Māori, including enabling Māori to live on their own land. The Māori Housing Network launched in 2015 to provide support, but the funding provided to enact He Whare Āhuru He Oranga Tāngata was limited. MAIHI (the 2020 Māori and Iwi Housing Innovation Framework for Action) and MAIHI Ka Ora (the 2021 National Māori Housing

strategy) have received better Crown funding support. The implementation and success of the range of housing assistance programmes in operation across this time period is examined, with a case example of Ngā Pōtiki providing a descriptive overview of how some of these programmes have been utilised by Māori to provide housing on Māori land.

The final chapter is the conclusion. It provides a detailed summary of the chapters in this report.

A note on macrons

While we have endeavoured to use macrons where appropriate throughout this report, many of our sources did not utilise macrons and we have not added them to any quotes in this report.

Part One: c.1870–1949

A timeline of relevant legislation, government departments, and events 1845–1949

1845	Public Roads and Work Ordinances Act 1845
1862	Native Lands Act 1862
1863	New Zealand Settlements Act 1863 Compensation Court established
1865	Native Lands Act 1865 Waikato Land Confiscations
1871	Highways Boards Empowering Act 1871
1873	Native Lands Act 1873
1876	Rating Act 1876
1878	Native Land Act Amendment Act 1878
1881	Crown invasion of Parihaka
1882	Crown and Native Lands Rating Act 1882 Public Works Act 1882 Rating Act 1882
1883	Native Land Laws Amendment Act 1883
1884	James Pope's <i>Health for the Maori (Te Ora mō te Māori): A manual for use in native schools</i> published.
1885	Lands Act 1885
1886	Native Land Court Act 1886 James Pope's <i>The Native School Reader: For Standards II and III</i> published.
1891	Commission of Inquiry into Native Land Laws
1892	Land for Settlements Act 1892 West Coast Settlement Reserves Act 1892
1893	Ratings Acts Amendment Act 1893
1894	Government Advances to Settlers Act 1894 Lands Improvement and Native Lands Acquisition Act 1894 Native Land Court Act 1894 Public Works Act 1894

1897	Native Land Laws Amendment Act 1897 Young Māori Party founded
1900	Maori Councils Act 1900
1901	Department of Health sets up a Māori section
1905	Māori Land Settlement Act 1905 Worker's Dwellings Act 1905
1906	Government Advances to Workers Act 1906
1909	New Zealand State-guaranteed Advances Act 1909
1913	Smallpox Epidemic State Advances Act 1913 State Advances Office established
1914	Start of the First World War
1915	Discharged Soldiers' Settlement Act 1915
1917	Discharged Soldiers' Settlement Amendment Act 1917
1918	Influenza Pandemic End of the First World War
1919	Influenza Epidemic Commission Native Land Amendment and Native Land Claims Adjustment Act 1919 Maori Councils renamed Maori Health Councils
1920	Health Act 1920 Native Trustee Act 1920 Te Rangihiroa's <i>Mate kohi: (Consumption) Ngā huarahi hei ārai i tāua mate</i> published.
1923	State Advances Amendment Act 1923
1929	Native Land Amendment and Native Claims Adjustment Act 1929 Native Land Development Scheme <i>Taipo piwa (Enteric Fever) nga take i toro ai, me etahi raweke e kore ai e toro</i> and <i>Mate rewharewha (Influenza): Nga huarahi whakaora, arai atu ranei i tenei mate</i> published.
1930	Effects of the Great Depression begin to be felt in New Zealand
1932	Eruera Tirikātene elected to Parliament
1935	Housing Survey Act 1935

	Native Housing Act 1935 H.B. Turbott's <i>Tuberculosis in the Maori: East Coast, New Zealand</i> published.
1938	Native Housing Amendment Act 1938
1939	Start of the Second World War
1941	Rehabilitation Act 1941
1945	Housing Improvement Act 1945 End of the Second World War
1947	Department of Native Affairs changes to the Department of Māori Affairs Housing Improvement Regulations Act

Chapter One: Māori land loss and efforts to rebuild on their remaining land, c.1870–1899

1.1 Introduction

Housing on Māori Land was not defined by an overarching Crown legislative framework during the late nineteenth century, and was instead affected by other legislative regimes including land, health, and education. This chapter addresses these broader themes and topics, which had a bearing on housing on Māori land. Historian Terry Hearn has argued that ‘housing generally was viewed as the domain of private enterprise and the Crown limited its involvement accordingly during the nineteenth century.’¹ The Crown’s changing role and attitude towards housing and the economy generally influenced its involvement, or lack thereof, in housing policy and services for both Māori and Pākehā from the nineteenth century onwards.

The years between 1870 and 1899 marked a period of severe disruption for Māori and their relationship with their customary whenua. Central to these upheavals was the introduction of the Native Land Court and a new legal framework for the administration of customary Māori land, inaugurated by the Native Lands Acts of 1862 and 1865. The Waitangi Tribunal, having considered the operation of the Native Land Court and native land legislation extensively over many years in its district inquiry programme, has found this legislative regime and the Court itself facilitated and hastened the alienation of Māori land. It has also concluded the native land regime and its consequences prejudiced the Māori population in several ways, not least by presenting barriers to the development of remaining landholdings. In numerous reports, the Tribunal has found that the main aim of the native land legislation and the Native Land Court was to facilitate the purchase and settlement of Māori land by Pākehā and the Crown.²

¹ Terry Hearn, ‘The social and economic experience of Porirua ki Manawatu Māori: an analysis and appraisal’, 2019, (Wai 2200, #A219), p. 298; See also Gael Ferguson, *Building the New Zealand Dream*, Palmerston North: Dunmore Press, 1994, p. 19, pp. 28-29, p. 53

² See for example, Waitangi Tribunal, *Turanga Tangata Turanga Whenua: The Report on the Turanganui a Kiwa Claims*, Wellington: Legislation Direct, 2004, Vol. 2, pp. 469-471, p. 527, p. 531; Waitangi Tribunal, *The Hauraki Report*, Wellington: Legislation Direct, 2006, Vol. 2, pp. 778-779; Waitangi Tribunal, *Te Tau Ihu o te Waka a Maui: Report on Northern South Island Claims*, Wellington: Legislation Direct, 2008, Vol. 2, pp. 777-781; Waitangi Tribunal, *He Maunga Rongo: Report on Central North Island Claims*, Wellington: Legislation Direct, 2008, pp. 454-457; Waitangi Tribunal, *Wairarapa ki Tararua Report*, Wellington: Legislation Direct, 2010, pp.

The chapter begins by considering native land legislation and its effects on Māori. This is essential context in considering housing on Māori land. This analysis draws heavily on prior consideration of these issues by historians and the Waitangi Tribunal. It then considers, by way of contrast, the concurrent legislation and policy for general land, including the Liberal Government's 1894 Advances to Settlers scheme. The chapter proceeds to examine key physical changes in Māori housing that occurred during the late nineteenth century and how local authority rating and public works legislation affected housing on Māori land. Reports to the Native Department provide a useful primary source and demonstrate government officials' awareness of the associated health issues relating to inadequate housing on Māori land.

Finally, the chapter presents case studies of two unique Māori communities: Parihaka (in Taranaki), and Pāpāwai (in the Wairarapa). These communities have been selected for close attention as examples where Māori sought to address and provide for local housing needs. These case studies were not chosen because they were representative of broader national trends, but because they were well-documented examples of Māori political leadership addressing housing needs. Pāpāwai was home of the Kotahitanga movement, which sought Māori self-government at a national level and redress from the Crown throughout the nineteenth century. Meanwhile, the Parihaka case study concentrates on the housing-related aspects of the construction and rebuilding of this distinctive and dynamic Māori community, before and after its invasion and destruction by the Crown in 1881.

1.2 What have scholars and the Waitangi Tribunal found regarding the impact of the nineteenth-century Native Land Court and native land legislation?

During the second half of the nineteenth century, successive administrations passed legislation establishing the Native Land Court and enabling it to convert customarily owned Māori land into separate titles cognisable in colonial law. In a major departure from the Crown's assertion of the right to pre-emption it claimed to have received from article 2 of the Treaty, the new native lands laws provided for the recognition of Māori interests in land, and then the issue of Crown-derived certificates of title and the partitioning of those interests upon request. The objective of this system, historians and the Tribunal have concluded, was to create title shares that could be disposed of independently of hapū and iwi, and thus enable the direct purchase of Māori land by settlers. Moreover, the Tribunal has found that while some Māori sought to receive secure and negotiable titles from the Crown, the preference of many was for a form of collective title to reflect customary whānau and hapū-based social organisation.

529-531; Waitangi Tribunal, *Te Mana Whatu Ahuru: Report on Te Rohe Pōtae Claims*, Wellington: Pre-publication version, 2018, Parts I and II, pp. 1187-1188, pp. 1237-1239, pp. 1241-1243

The Crown failed to give effect to this desire for a usable collective title until the Native Land Court Act 1894, which enabled the establishment of trusts.³ This failure to create a workable communal title and its negative consequences are widely accepted by the Crown itself, having been the subject of concessions in previous Tribunal inquiries.⁴

The inaugurating native land legislation, the Native Lands Act 1862, enabled the Governor to establish a Native Land Court ‘to promote the peaceful settlement of the Colony’ by defining Māori rights to land ‘as nearly as possible to the ownership of land according to British law’.⁵ According to historian Richard Boast:

It was this Act which introduced the basic conceptual structure which underpinned the [native land] system, based on three planks of waiver of Crown pre-emption, conversion of customary titles to English tenure, and the creation of a new judicial body to control the process – the Native Land Court.⁶

The New Zealand Settlements Act was passed in 1863 during the New Zealand Wars to make it lawful for the Crown to confiscate Māori land to create military settlements, and to establish the Compensation Court to determine claims for compensation for confiscated land.⁷ Under the provisions of the Act, the Crown confiscated millions of acres of Māori land, including over 1.2 million acres in the Waikato district in a series of proclamations gazetted between January and September 1865.⁸ The land confiscated under this Act was intended for soldier settlements to prevent future insurrection, but much more land was taken than was required for military settlements. Furthermore, most soldiers left these settlements and Auckland business interests eventually acquired most of this land in the Waikato and the Bay of Plenty.⁹ According to Boast, compensation in the form of land was constrained by the fact

³ See Waitangi Tribunal, *He Maunga Rongo: Report on Central North Island Claims*, Vol. 1, pp. 378-379, p. 671; Waitangi Tribunal, *Te Mana Whatu Ahuru: Report on Te Rohe Pōtae Claims*, Vol. 1, p. 1186, pp. 1248-1249; Waitangi Tribunal, *Te Mana Whatu Ahuru: Report on Te Rohe Pōtae Claims*, Vol. 2, pp. 8-9

⁴ See for example Wai 1040 (Te Paparahi o Te Raki District Inquiry), Crown closing submissions (#3.3.406), pp. 5-6; Wai 903 (Whanganui District Inquiry), Crown closing submissions (#3.3.131), pp. 2-5, p. 15; Wai 894 (Te Urewera District Inquiry), Crown closing submission (#N20), p. 10, p. 21; Wai 1200 (Central North Island Inquiry), Crown closing submission (#3.3.111), pp. 124-125

⁵ Native Lands Act 1862 (26 Victoriae 1862 No 42), p. 196

⁶ Richard Boast, *The Native Land Court 1862–1887: A Historical Study, Cases and Commentary*, Wellington: Thomson Reuters, 2013, p. 50

⁷ Waitangi Tribunal, *Te Urewera*, Vol. 1, Wellington: Legislation Direct, 2017, pp. 6-7, pp. 65-66, p. 69; Waitangi Tribunal, *The Taranaki Report: Kaupapa Tuatahi*, p. 93, pp. 108-118; Waitangi Tribunal, *Te Raupatu o Tauranga Moana: Report on the Tauranga Confiscation Claims*, Wellington: Legislation Direct, 2004, p. 72, p. 81, p. 105, pp. 121-123

⁸ Vincent O’Malley, ‘Te Rohe Pōtae War and Raupatu’, 2010, (Wai 898, #A22), p. 464; Judith Binney with Vincent O’ Malley and Alan Ward, ‘Wars and Survival, 1860–1872’, in Atholl Anderson, Judith Binney, and Aroha Harris (eds), *Tangata Whenua: A history*, Wellington: Bridget Williams Books, 2015, p. 236

⁹ Boast, *The Native Land Court 1862–1887*, p. 29; See also Russell Stone, *Makers of Fortune: A Colonial Business Community and its Fall*, Auckland: Auckland University Press, 1973, p. 17, p. 19

that there was insufficient land remaining ‘to meet the claims of loyal Maori’.¹⁰ Historians Judith Binney, Vincent O’Malley, and Alan Ward have stated that ‘loyal’ Māori were only returned a small amount of their land, which had been confiscated, or were given land confiscated from ‘rebels’.¹¹ The short-lived Compensation Court’s practices and procedures influenced the more enduring Native Land Court.¹²

The Native Lands Acts passed in 1865 and 1873 contributed to an acceleration in land sales by essentially abolishing customary communal title and converting land to individual title through the Native Land Court.¹³ Under the Native Lands Act 1865, any Māori individual could make an application to the Native Land Court and force the whole community’s involvement. According to the provisions of this Act, the Court could only ‘order a certificate of title to be made ... in favour of a tribe’ if that land awarded was greater than five thousand acres. Otherwise, only ten or fewer owners could be included on the certificate of title.¹⁴ They came under significant pressure to sell this land to meet the costs of surveying land to secure title, attending the Native Land Court (including court costs, accommodation, and food), and to repay debt.¹⁵ Binney described the Native Lands Act 1873 as a ‘disaster for Māori’ because it ‘wrecked collective tribal control and created no mechanism to replace it’.¹⁶ In *He Maunga Rongo: Report on Central North Island Claims*, the Waitangi Tribunal found that the 1873 Act ‘made it easier to sell land than to retain it and use it’.¹⁷

Other land legislation in the late nineteenth century contributed to land loss and increased Pākehā settlement. The Lands Act 1885 enabled the Crown to acquire land ‘for village settlements’.¹⁸ As noted in *He Maunga Rongo*, the Land for Settlements Act 1892 ‘provided for the compulsory acquisition, if no voluntary arrangement could be reached, of large private settler estates suitable for closer settlement, with compensation payable to the owner’.¹⁹ The Lands Improvement and Native Lands Acquisition Act 1894 reinstated Crown pre-emption over the whole country to facilitate Crown purchasing. This Act’s

¹⁰ Boast, *The Native Land Court 1862–1887*, pp. 32–33

¹¹ Binney with O’Malley and Ward, ‘Wars and Survival, 1860–1872’, p. 237

¹² Boast, *The Native Land Court 1862–1887*, p. 44

¹³ Native Lands Act 1865 (29 Victoriae 1865 No 71), p. 264; Native Land Act 1873 (37 Victoriae 1873 No 56), pp. 237–259; See also Waitangi Tribunal, *He Maunga Rongo: Report on Central North Island Claims*, p. 440, p. 446; Judith Binney with Vincent O’Malley and Alan Ward, ‘The Land and the People 1860–1890’, in Atholl Anderson, Judith Binney, and Aroha Harris (eds), *Tangata Whenua: A history*, Wellington: Bridget Williams Books, 2015, p. 255

¹⁴ Native Lands Act 1865 (29 Victoriae 1865 No 71), p. 266

¹⁵ Binney with O’Malley and Ward, ‘The Land and the People 1860–1890’, pp. 255–256, p. 258; Waitangi Tribunal, *He Maunga Rongo: Report on Central North Island Claims*, Vol. 2, pp. 508–513

¹⁶ Binney with O’Malley and Ward, ‘The Land and the People 1860–1890’, p. 259

¹⁷ Waitangi Tribunal, *He Maunga Rongo: Report on Central North Island Claims*, Vol. 2, p. 420

¹⁸ Lands Act 1885, (49 VICT 1885 No 56), p. 241

¹⁹ Waitangi Tribunal, *He Maunga Rongo: Report on Central North Island Claims*, Vol. 2, pp. 678–679; See also Land for Settlements Act 1892 (56 VICT 1892 No 31), pp. 181–182

preamble stated that it was ‘for the purpose of encouraging the settlement of people upon the lands of the colony it is expedient to give better access to such lands and otherwise improve them, and also to acquire Native lands’.²⁰

During the late nineteenth century, Sir James Carroll (Ngāti Kahungunu), the MP for Eastern Māori, attempted to promote the leasing of Māori lands to prevent more land loss. In his minority report for the 1891 Commission of Inquiry into Native Land Laws, Carroll stated:

While difference of opinion prevails among the Natives as to the relative merits of leasing or selling, there is a consensus of opinion amongst them upon the advisability of throwing their lands open, at all events, for leasing. They have openly and publicly enunciated their views upon this point, the sole difficulty, apparently, being as to the legislative machinery to be employed to attain this end.²¹

However, when Māori leased their land to Pākehā settlers, they lost the ability to use this land for housing or farming. Māori also sometimes had difficulties ensuring that lease payments were paid, or only received small uneconomic payments, and leasing land often led to land loss during the nineteenth century.²²

The Waitangi Tribunal has made findings about how nineteenth-century legislation facilitated land leases. In *The Ngai Tahu Report*, the Tribunal found that Māori landowners ‘never gave their consent to perpetual leases’, and the 1887 legislation that enabled these leases ‘deprived the owners of use and occupation as well as their property right’.²³ Similarly in the *Taranaki Report: Kaupapa Tuatahi*, the Tribunal discussed Māori concerns about leases in this inquiry district:

the leases were mainly perpetual ... the conditions of lease were seen as advantageous to the [European] lessees ... Maori did not administer the lands, the leases, or the rents ... Europeans had long-term leases on which they could borrow but Maori had only occupation licences terminable at will or for terms of up to 7 years; and ... Maori had not agreed to any of the proposals and had never consented to the leases.²⁴

²⁰ Lands Improvement and Native Lands Acquisition Act 1894 (58 VICT 1894 No 36), p. 171

²¹ James Carroll, ‘Note by Mr. Carroll’, AJHR, G-1, 1891; See also Ferguson, *Building the New Zealand Dream*, p. 54

²² Judith Binney with Vincent O’Malley and Alan Ward, ‘Rangatiratanga and Kāwanatanga’, in Atholl Anderson, Judith Binney, and Aroha Harris (eds), *Tangata Whenua: A history*, Wellington: Bridget Williams Books, 2015, p. 222; Judith Binney with Vincent O’Malley, ‘The Quest for Survival, 1890–1920’, in Atholl Anderson, Judith Binney, and Aroha Harris (eds), *Tangata Whenua: A history*, Wellington: Bridget Williams Books, 2015, p. 281, pp. 293–294; Terry Hearn, ‘One past, many histories: tribal land politics in the nineteenth century’, 2015, (Wai 2200, #A152), pp. 271–272, pp. 474–475

²³ Waitangi Tribunal, *Waitangi Tribunal, Ngai Tahu Report: Volume 1*, Wellington: GP Publications, 1991, p. 139

²⁴ Waitangi Tribunal, *The Taranaki Report: Kaupapa Tuatahi*, Wellington: Legislation Direct, 1996, p. 258

In the *Turanga Tangata Turanga Whenua: Report on the Turanganui a Kiwa Claims*, the Tribunal found that Native Lands Act 1873:

did not make provision for community ownership and management of Maori land. Instead the Act ... [rendered] Maori titles usable in colonial commerce only through sale or lease ... [which were] ... achievable only by the transfer of individual undivided interests ... [and made] community decision-making irrelevant thereby ... in the face of the clearly expressed wishes and actions of all but a few Maori.²⁵

1.3 What effect did land legislation have on Māori ability to build and maintain housing on their land?

Land legislation, along with whenua raupatu (land confiscations) accompanying the New Zealand Wars, contributed to land transferring out of Māori ownership in the late nineteenth century. Māori often only retained their less economically productive land.²⁶ Around 80 per cent of the land in Te Ika-a-Māui (the North Island) was in Māori ownership in the 1860s, but this had diminished to around 27 per cent by the early 1900s. In Te Waipounamu (the South Island), the Crown had alienated 99 per cent of the land by 1865, but most of these purchases were completed in the 1840s prior to the introduction of the native land legislation and the Native Land Court. This relatively rapid and extensive loss of land, along with a lack of Crown support, made it difficult for Māori to develop their remaining land and to afford to construct new housing during the late nineteenth century.²⁷ As noted earlier in this chapter, the Waitangi Tribunal has made findings in numerous reports about how the Native Land Court and land legislation aimed to facilitate the purchase and settlement of Māori land.²⁸

The New Zealand Wars during the 1860s affected Māori economically, culturally, physically, spiritually, and would have had a cumulative impact on their ability to build housing on their remaining land in the late nineteenth century. According to Vincent O'Malley, the New Zealand Wars and their

²⁵ Waitangi Tribunal, *Turanga Tangata Turanga Whenua*, Vol. 2, pp. 445-446

²⁶ J.D. Reid, 'Māori land: a strategy for overcoming constraints on development', PhD thesis, Lincoln University, 2011, p. 20

²⁷ Hirini Matunga, 'Theorising Indigenous Planning', in T.S. Jojola, R.C. Walker and D.C. Natcher (eds.), *Reclaiming Indigenous Planning*, Montreal: MQUP, 2013, pp. 7-8

²⁸ See for example, Waitangi Tribunal, *Turanga Tangata Turanga Whenua*, Vol. 2, pp. 469-471, p. 527, p. 531; Waitangi Tribunal, *The Hauraki Report*, Vol. 2, pp. 778-779; Waitangi Tribunal, *Te Tau Ihu o te Waka a Maui: Report on Northern South Island Claims*, Wellington: Legislation Direct, 2008, Vol. 2, pp. 777-781; Waitangi Tribunal, *He Maunga Rongo: Report on Central North Island Claims*, Wellington: Legislation Direct, 2008, pp. 454-457; Waitangi Tribunal, *Wairarapa ki Tararua Report*, pp. 529-531; Waitangi Tribunal, *Te Mana Whatu Ahuru: Report on Te Rohe Pōtae Claims*, Wellington: Pre-publication version, 2018, Part 1, pp. 1187-1188, pp. 1237-1239, pp. 1241-1243

accompanying land confiscations had as severe, if not worse, impact on Māori than the operation of the Native Land Court in nineteenth century.²⁹

The enactment of the New Zealand Settlements Act 1863 and its accompanying Compensation Court made it difficult for some Māori to build housing on their land. This is because it often left Māori, who lived in areas where land was confiscated, with no land, less land, or land that was inadequate for housebuilding. The areas where land was confiscated included Waikato, Taranaki, Tauranga, Eastern Bay of Plenty, and Hawke's Bay.³⁰ In its *Ngati Awa Raupatu Report*, the Waitangi Tribunal found that the Compensation Court returned land to Ngāi Te Rangihouhiri and Ngāti Hikakino that was generally 'coastal sandhills or swamps'. Other land returned in this inquiry district was 'rugged hill country'. The physical characteristics of most of this returned land meant that members of these hapū were often unable to live there.³¹ Hapū and iwi often provided shelter to their whanaunga whose land had been confiscated, but this frequently led to overcrowded and unhealthy housing conditions as there was a much greater number of people to house on their land.³² Māori, who were affected by whenua raupatu under the provisions of the New Zealand Settlements Act 1863, had much less land or no land to build houses on, and were therefore often excluded from government land development schemes in the twentieth century due to their lack of land suitable for agricultural purposes.³³ As discussed in the following chapters, Māori land development schemes would be an important source of government loans for housing on Māori land from 1929 onwards.³⁴

The native land laws, the Native Land Court, the New Zealand Wars, and the accompanying land confiscation meant that there was less Māori land available for housing purposes and for growing food. As noted by Boast, land alienation 'contributed to Maori impoverishment and economic marginalisation' by the late nineteenth century.³⁵ These negative economic conditions also created challenges for Māori building or maintaining housing on their remaining land during the period 1870 to 1899.

²⁹ O'Malley, 'Te Rohe Potae War and Raupatu', pp. 824-826

³⁰ O'Malley, 'Te Rohe Potae War and Raupatu', p. 442; Binney with O'Malley and Ward, 'Wars and Survival, 1860-1872', p. 245

³¹ Waitangi Tribunal, *The Ngati Awa Raupatu Report*, Wellington: Legislation Direct, 1999, p. 90

³² O'Malley, 'Te Rohe Potae War and Raupatu', p. 833; Binney with O'Malley and Ward, 'Wars and Survival, 1860-1872', p. 237

³³ Waitangi Tribunal, *The Ngati Awa Raupatu Report*, p. 8; Native Land Amendment and Native Land Claims Adjustment Act 1929 (20 GEO V 1929 No 19)

³⁴ Ranginui Walker, *He Tipua: The Life and Times of Sir Āpirana Ngata*, Auckland: Penguin Books, 2001, pp. 234-235; John Armitage, 'Māori Housing in New Zealand', B.Arch. thesis, Auckland: University of Auckland, 1986, p. 18; Angela Wanhalla, 'Housing Un/healthy Bodies: Native Housing Surveys and Māori Health in New Zealand 1930-45', *Health and History*, 8, 1, 2006, p. 103

³⁵ Boast, *The Native Land Court 1862-1887*, p. 80

1.4 How did housing assistance available for Māori land compare to assistance programmes available for general land?

The Crown provided some land development and housing support to European settlers during the late nineteenth century. This limited Crown support for land development and housing support may have reflected the emerging belief that the housing market should not be entirely left to the private sector.³⁶ During the 1880s, the Crown provided grants (up to £20) for housing construction to Pākehā settlers under the Liberal Premier John Ballance's Village Settlement Scheme. This scheme aimed to provide employment and encourage Pākehā rural settlement during the 1886–1887 economic depression.³⁷ By 1887, £1,315 in advances had been paid towards building costs and 1,186 sections had been 'taken up'.³⁸ According to Gael Ferguson, there was limited uptake to the Village Settlement Scheme, which was 'never a major success'.³⁹ From 1894 onwards, the Liberal Government provided loans to Pākehā settlers to establish small farms under the Advances to Settlers legislation. Section 25 of the Government Advances to Settlers Act 1894 only mentioned 'native land' as being eligible for loans with reference to land leased by Pākehā under the West Coast Settlement Reserves Act 1892. This legislation did not include multiply owned Māori land under its list of 'classes of land on which money may be advanced'.⁴⁰ Ferguson stated in her Māori housing policy report for the Parai Estate, Takapuwahia C2A3 block claim (Wai 60), the Crown and financial institutions refused to lend money 'on anything but individualised title'.⁴¹ She argued that this meant 'there was a lack of resources to carry out capital improvements including the construction of good housing'.⁴² Later chapters in this report will discuss how difficulties obtaining mortgages to fund housing construction persisted into the late twentieth century and continue to hamper housebuilding on Māori land.

Reports by individuals to government agencies during the late nineteenth century detailed how the Crown should provide more support to Māori to improve their housing conditions. For example, Reverend James W. Stack (a government interpreter and Anglican missionary) reported to the Native Department in 1880, that most Māori in Canterbury were living in poverty; this made it difficult for them to adequately house themselves despite their best efforts to do so. He suggested that it 'was only

³⁶ Ferguson, *Building the New Zealand Dream*, p. 44; Hearn, 'The social and economic experience of Porirua ki Manawatu Māori', p. 298

³⁷ Claudia Geiringer, 'Historical Background to the Muriwhenua Land Claim 1865–1950', 1992, (Wai 45, #F10), p. 164; Hearn, 'The social and economic experience of Porirua ki Manawatu Māori', p. 298; See also Gael Ferguson, 'Background Report for the Wai 60 Claim', 1995, (Wai 60, #A2), p. 10

³⁸ 'Village Settlements', AJHR, C-2, 1887, p. 1

³⁹ Ferguson, *Building the New Zealand Dream*, p. 41

⁴⁰ Government Advances to Settlers Act 1894 (58 VICT 1894 No 38), pp.186-187

⁴¹ Ferguson, 'Background Report for the Wai 60 Claim', pp. 13-14

⁴² Ferguson, 'Background Report for the Wai 60 Claim', pp. 13-14

fair and right' for the Crown to provide more support for Māori than Pākehā because the difficulties Māori faced were based 'on our occupying the country'.⁴³ In 1899, Dr S.A. Bull recommended that a doctor make weekly visits to Manaia (a small community on the western side of the Coromandel Peninsula) to provide advice on housing construction and sanitation to Māori who were living in damp, dark, unventilated homes. Frank Waldegrave, the under-secretary for the Justice Department, declined this recommendation on the basis that it would be a waste of money because he believed housing advice would be ignored.⁴⁴

The Native Land Act Amendment Act 1878 created barriers to gaining security for loans on Māori land. Section 4 of this Act stated: 'It shall not be lawful for any person to pay any sum of money by way of mortgage on any land held by a Native under memorial of ownership or Crown grant'.⁴⁵ This amendment to native land legislation made it easier for the Crown and other land purchasers to obtain individual land interests while at the same time reducing community control over land alienation.⁴⁶ In his Crown Law Office report for the Taihape: Rangitikei ki Rangipō district inquiry, Samuel Carpenter argued that the Native Land Act Amendment Act was an early example of Māori land legislation's 'restrictions on mortgaging'.⁴⁷ Terry Hearn similarly stated 'that the Crown for many years sought to limit or at least to control the ability of Maori to mortgage land'. According to Hearn, the legislative councillor and former premier, George Waterhouse, was 'almost alone' in his criticism of Section 4 of the Native Land Act Amendment Act, which 'remained in force' until it was repealed by the Native Land Court Act 1886.⁴⁸ In 1887, Waterhouse stated that he regretted

it should be thought that the Natives were not sufficiently advanced in civilization to be intrusted with the management of their own lands, and that the right—the birthright—of every British subject of mortgaging his own property should be withheld ... If the Natives were deserving of the franchise to the full extent that it was contended they were, they certainly should not be treated as children in this way, and forbidden to get advances on their property in the same manner as Europeans did.⁴⁹

⁴³ James W. Stack, 'Report on the Canterbury Maoris from 1879 to 1880', AJHR, G-4, 1888, p. 18

⁴⁴ Cybèle Locke, 'The social and economic circumstance of Marutuahu 1840 to 1960', (Wai 686, #V4), 2002, p. 109; See also Waitangi Tribunal, *The Hauraki Report*, Wellington: Legislation Direct, 2006, Vol. 3, p. 1173

⁴⁵ Native Land Act Amendment Act (No 2) 1878 Act 1878 (42 Victoriae 1878 No 40), p. 247

⁴⁶ Samuel D. Carpenter, 'The Native Land Laws: global contexts of tenure reform, individual and collective agency, and the structure of "the Māori economy" – a "landless brown proletariat"?', for the Crown Law Office for the Taihape: Rangitikei ki Rangipō District inquiry, 2019, (Wai 2180, #M29(a)), p. 8

⁴⁷ Carpenter, 'The Native Land Laws', p. 75

⁴⁸ Hearn, 'The social and economic experience of Porirua ki Manawatu Māori', p. 55

⁴⁹ George Waterhouse, NZPD, 1878, Vol. 30, p. 1225

In 1895, Tutangi Waionui and four unnamed others petitioned the House of Representatives to empower the Public Trustee to advance money as a mortgage for the improvement of their West Coast (Taranaki) land. The petitioners promised to pay interest on this mortgage and noted that if they died before the loans were repaid, then their descendants would continue to make repayments. The House of Representatives' clerk George Friend forwarded their petition to the Native Affairs Committee. This committee recommended that 'this petition be referred to the Government for favourable consideration'.⁵⁰ Historian Therese Crocker argued that formal petitions from Māori provide 'insights into Māori views and concerns'. Yet Crocker also noted that the expenses associated with providing a petition 'in the proper formal format ... [expressed] in terms of issues that Parliament would be willing to consider' and the requirement for sponsorship from a Member of Parliament constrained the number of parliamentary petitions.⁵¹ This means that this petition most likely exemplifies a much wider need for Māori to be able to mortgage their land.

Three years after this petition, the Native Land Laws Amendment Act 1897 included a provision intended to enable the State to advance money to Māori. Section 6 of this Act stated:

On the application of any Native owning land in severalty who desires to borrow money from any lending department of the Government on mortgage of his land, the Native Land Court, if satisfied of the fact, may give him a certificate that, irrespective of the land he proposes to mortgage, he possesses other land sufficient for his maintenance.⁵²

This provision restricted who could obtain a government mortgage for their land as they had to own enough land for it to still be worth mortgaging after excluding sufficient land on which they could support themselves. According to the Native Lands Act 1873, at least fifty acres per person was required for sufficiency purposes.⁵³ As a result of the sufficiency provision in the Native Land Laws Amendment Act 1897, only a very small number of applications were made to obtain mortgages from the government, until this Act was repealed in 1909.⁵⁴

During the late nineteenth century, the Crown provided some financial support for housing construction and land development for general land through its Advances to Settlers and Village Settlement schemes,

⁵⁰ '[George Friend], Clerk to House of Representatives, Wellington Date (received): 21 August 1895 Subject: Forwarding Report of Native Affairs Committee on petition of Tutangi Waionui and others that the Public Trustee may be empowered to advance money to them on mortgage', R24769990, Archives NZ, Wellington; See also 'Report of the Native Affairs Committee', I-3, AJHR, 1895, p. 11

⁵¹ Therese Crocker, 'An Overview of Māori Political Engagement in the North-Eastern Bay of Plenty 1871–2017', 2021, (Wai 1750, A#11), pp. 34–35

⁵² Native Land Laws Amendment Act 1897 (61 VICT 1897 No 25), p. 54

⁵³ Native Land Act 1873 (37 Victoriae 1873 No 56), p. 242

⁵⁴ Hearn, 'The social and economic experience of Porirua ki Manawatu Māori', p. 55; Native Land Act 1909 (9 EDW VII 1909 No 15), p. 264

but these assistance programmes were not accessible for Māori land. Government mortgages for Māori land were not available until the late 1890s and even then, only a very small number of Māori were eligible.

1.5 How did the Crown monitor and inform itself of Māori housing needs and preferences with respect to Māori land?

New Zealand's first census was in 1851, but the New Zealand census did not ask questions specifically about Māori housing until 1926.⁵⁵ During the second half of the nineteenth century, New Zealand censuses included questions about marital status, place of birth, occupation, religion, education, land and crops, livestock, and dwellings' building materials and number of rooms (but did not collect information about their occupants' ethnicity).⁵⁶ The Crown primarily relied on occasional reports from resident magistrates and other government agents, such as native medical officers and native schoolteachers, to assess and report on Māori activity during the late nineteenth century (including reports to the Crown discussed earlier in this chapter).⁵⁷ Their reports provided an important yet incomplete and fragmentary source of information for the Crown about Māori housing needs and enabled the Crown to monitor, to a limited extent, Māori housing conditions. Therese Crocker noted that 'these kinds of sources cannot provide a Māori "voice" ... [and] ... these reports ... should be read with an understanding of the role played by those Crown officials'.⁵⁸ Their reports may be influenced by their potential biases or prejudices and reflect contemporary ideas about encouraging Māori to assimilate and adopt European housing and lifestyles.

During the 1870s and 1880s, some of these government reports commented favourably on improving Māori housing conditions and attributed it to the sale (or leasing) of land and assimilation. In 1870, the interpreter John Greenwood reported that Māori in Westland had received £3,719 in the last year from their Pākehā tenants and spent £508 to build 'weatherboard cottages with glass windows and

⁵⁵ Census and Statistics Office, *Population census 1926: Compiled in the Census and Statistics Office*, Wellington: Government Printer, 1931, Vol. 13, p. 30; See also Robinson, 'Te taha tinana', p. 98

⁵⁶ 'Results of a Census of New Zealand', 1871, https://www3.stats.govt.nz/historic_publications/1871-census/1871-results-census.html?_ga=2.115238595.536291155.1677546388-1264290752.1651442431 (accessed 28 February 2023); 'Results of a Census of the Colony of New Zealand', 1874, https://www3.stats.govt.nz/historic_publications/1874-census/1874-results-census.html?_ga=2.148342515.536291155.1677546388-1264290752.1651442431 (accessed 28 February 2023); 'Census of New Zealand', 1881, https://www3.stats.govt.nz/historic_publications/1881-census/1881-results-census.html?_ga=2.115238595.536291155.1677546388-1264290752.1651442431 (accessed 28 February 2023); 'Results of a Census of the Colony of New Zealand', 1891, https://www3.stats.govt.nz/historic_publications/1891-census/1891-results-census/1891-results-census.html?_ga=2.183984610.536291155.1677546388-1264290752.1651442431 (accessed 28 February 2023)

⁵⁷ Crocker, 'An Overview of Māori Political Engagement in the North-Eastern Bay of Plenty 1871–2017', p. 43

⁵⁸ Crocker, 'An Overview of Māori Political Engagement in the North-Eastern Bay of Plenty 1871–2017', p. 34

chimneys'.⁵⁹ J.H. Campbell, the resident magistrate for Waiapu on the East Coast, wrote in 1877 that Māori in this community had sold some land to the government, which 'enabled many of them to build substantial houses'.⁶⁰ In 1881, the Nelson Native Commissioner Alexander McKay reported

the majority of them have comfortable houses, and for the most part enjoy very good health; and their domestic habits are assimilating to the Europeans. Most of their houses are now built of wood, and contain three or four rooms, besides a kitchen. At a few of the settlements some of the dwellings are comfortable, commodious, and well furnished.⁶¹

Resident Magistrate James Booth attributed health improvements and a reduction in the mortality rate to more European-style housing in the Gisborne district. This included a shift from sleeping in communal wharepuni, which were now used for hui or as accommodation for visitors, to 'comfortable weatherboard cottages with windows and chimneys'.⁶² Likewise, Native Medical Officer Dr J.G.F. Wilford stated in 1885 that Māori in the Hutt district were increasingly living in European-style weatherboard homes and connected this to their reduced mortality rates.⁶³

During the 1890s, the *New Zealand Official Year-Book* provided limited information to the Crown and its officials about Māori housing conditions.⁶⁴ In 1894, the *Year-Book* reported that 'the habit of living in crowded whares still continue[d] to a great extent'.⁶⁵ Nevertheless, this publication stated that more affluent Māori 'live in good houses' and claimed that many Māori were 'now well off, from the rents of their land'.⁶⁶ In 1895, the *Year-Book* described Māori housing conditions in Ōtorohanga: 'The Maoris have to a very great extent adopted the European manner of living in cottages, and no longer live in closely-packed whares in pas, as in former days'.⁶⁷

1.6 How did housing on Māori land change in the late nineteenth century?

During the 1870s, Māori increasingly adopted European-style housing including the use of sawn timber or weatherboards and corrugated iron as building materials. This was part of gradual changes in Māori

⁵⁹ John Greenwood, 'Report on the Native Reserves in the County of Westland', AJHR, D-16, 1870, pp. 34-35

⁶⁰ J.H. Campbell, 'Resident Magistrate, Waiapu to the Under Secretary, Native Department', AJHR, G-1, 1877, p. 10

⁶¹ Alexander McKay, 'Native Commissioner, Nelson to the Under Secretary, Native Department', 6 May 1881, AJHR, G-8, 1881, p. 16

⁶² James Booth, 'Resident Magistrate, Gisborne to the Under-Secretary, Native Department', 1 May 1884, AJHR, G-1, 1884, p. 18

⁶³ J.G.F. Wilford, 'Dr. Wilford, Hutt, to the Under-Secretary, Native Department, 16 May 1885', AJHR, G-2a, 1885, p. 10

⁶⁴ The *New Zealand Official Year-Book* is a government publication that has published statistics and information about life in Aotearoa since 1893.

⁶⁵ *New Zealand Official Year-Book*, 1894, p. 477

⁶⁶ *New Zealand Official Year-Book*, 1894, p. 480

⁶⁷ *New Zealand Official Year-Book*, 1899, p. 525

housing construction during the nineteenth century, which also included the shift from a cluster of small buildings (each with a different function) to houses with multiple rooms. Paul Christoffel's research report for this inquiry provides a detailed examination of the state of pre-colonial housing on Māori land and changes in Māori housing over the nineteenth century.⁶⁸ The design of Māori housing in the late nineteenth century varied around Aotearoa with the increased use of Pākehā building materials and tools influencing housing construction on Māori land to varying extents in different regions. A lack of detailed housing statistics on the construction and design of houses on Māori land makes it impossible to provide a geographic breakdown on these changes. Instead, the following section provides some snapshots into Māori housing design and construction during this period from the limited sources available.

G.T. Wilkinson (the government native agent for Thames, Auckland, and the Waikato) reported to the Native Department in 1892 that some Māori in the Waikato district felt uncomfortable living in a Pākehā-style wooden house. According to Wilkinson:

There is a want of sociability about a wooden house that makes it unsuitable to the Maori mind (and body) for permanent residence. They cannot sit all round the fire as in the case of the fire in the centre of the Maori whare. They do not feel so at home, or at ease, on the boarded floor of the pakeha house as on the fern and mat-covered floor of the Maori whare in fact, to occupy one for any length of time entails upon them a state of existence quite foreign to what they have been used to ...⁶⁹

In his 1896 article in the *Journal of Polynesian Studies*, Reverend Herbert Williams described how the increased use of corrugated iron, milled timbers, and iron tools was changing Māori housing construction. His article included a detailed description of Ngāti Porou whare design and construction and acknowledged that Reverend Mohi Tūrei of Waiapu provided most of this information. According to Williams, there were regional variations in Māori housing design, yet the 'appearance of a *whare* was tolerably uniform in all districts'.⁷⁰

Mākereti Papakura's Oxford University anthropology thesis was published posthumously in 1938 as *The Old-time Maori* and included a section describing domestic Māori architecture in the nineteenth century. She was the first Māori scholar to produce an extended ethnographic study of Māori.

⁶⁸ Paul Christoffel, 'Historical Māori Housing 1840–1934', 2022, (Wai 2750, #A9), pp. 19-29, pp. 30-41

⁶⁹ G.T. Wilkinson, 'Report to the Under-Secretary, Native Department', 28 June 1892, AJHR, G-3, 1892, p. 2; See also Ngāi Tamatea hapū ki Waiotaha (Whakatōhea), Amended Statement of Claim, 8 June 2018 (Wai 2750, #1.1.20), p. 2

⁷⁰ H.W. Williams, 'The Maori whare: notes on the construction of a Maori house', *Journal of Polynesian Studies*, Vol. 5, 1896, p. 145

Papakura's research drew on her upbringing in Māori communities near Rotorua in the late nineteenth century and information provided by her Te Arawa tūpuna. She explained:

There is a uniform plan for building a whare, whether large or small. It is always rectangular, and has a porch and one room. The timbers and the roof are morticed, and lashed with flax fibre ropes, the windows and doors slide back, and there are no locks or bolts, nor raised floors. The only light comes through the door, which is about 4 feet by 1 foot 6 inches, and a window 1 foot 6 inches by 1 foot, or somewhere about that size. Small hollowed out stone lamps are used at night if required.⁷¹

Papakura also described how cooking was done in separate buildings (known as kautā or wharau) and how raupō or rarauhe (ferns) would be used as flooring and covered with whāriki (woven mats). In common with other writers, she stated that Māori used to build their kāinga on 'high land, for a good look out, and for protection' with a spring, stream, or river nearby. Papakura provided a detailed description of how whare were constructed, the building materials used (native timbers for framing as well as raupō and rarauhe), and the layout of kāinga (see Figure 1.1 below for an 1890s photograph of a whare raupō). She stated that Māori used to move seasonally from one kāinga to another to access different food resources throughout the year.⁷²

The Coming of the Maori (1949) by Te Rangi Hīroa also described nineteenth-century Māori architecture and building techniques and compared them with contemporary Pākehā architectural styles. This book was based on his extensive research into Māori history, traditions, customs, culture, social organisation, and economic life.⁷³ In *The Coming of the Maori*, Te Rangi Hīroa explained that, in common with Polynesian domestic architecture, Māori dwellings consisted of a collection of single-roomed buildings each performing a separate function:

A European house with kitchen, pantry, dining room, bedroom, and drawing room under one roof required no less than four separate Maori buildings, namely cooking house, storehouse, sleeping house, and meeting house ... The somewhat disparaging remarks made by early writers concerning the small size of Maori houses were based on a comparison with their own multi-roomed houses. The Maori houses described were for sleeping and comparisons ... should have been made with the bedrooms of the common houses of England and Europe.⁷⁴

⁷¹ Mākereti Papakura, *The Old-Time Maori*, London: Victor Gollancz Limited, 1938, p. 283

⁷² Papakura, *The Old-Time Maori*, pp. 283-314; See also Fleur Palmer, 'Building Sustainable Papakāinga to Support Māori Aspirations for Self-determination', PhD thesis, Auckland University of Technology, 2016, p. 36

⁷³ Te Rangi Hīroa (1877–1951) was also known as Sir Peter Buck and was a prominent member of Ngāti Mutunga, a medical doctor, politician, health administrator, and professor of anthropology at Yale University. See M.P.K. Sorrenson, 'Buck, Peter Henry', in *Dictionary of New Zealand Biography*, Vol. 3, Auckland: Auckland University Press, 1996, p. 72

⁷⁴ Te Rangi Hīroa (Sir Peter Buck), *The Coming of the Maori*, Wellington: Whitcombe and Tombs, 1950, p. 112



Figure 1.1: Raupō whare at Wairau Pā (c.1890s),
Chaytor, Isabel Clervaux, 1890–1976: Chaytor family photographs. Ref: 1/2-049923-F. Alexander Turnbull
Library, Wellington, New Zealand

He noted that Māori architectural styles remained popular for many years following European settlement and utilised building materials that could be gathered for free. When he was a child in the 1870s and 1880s, wharepuni (sleeping houses) with earth floors were still commonplace, but sawn timbers and corrugated iron were increasingly being used to build Māori homes. In some cases, sawn timbers were painted to resemble the woven tukutuku panels these timbers replaced.⁷⁵

In 1898, the *Auckland Star* reported on changes in building materials for Māori housing during the late nineteenth century and how this varied around the country. According to the unnamed author of this article, most Māori still lived in homes ‘roofed with raupo, nikau or toetoe, and the floor covered with native mats (“takapau” or “whariki”)', but wealthier Māori in the Hawke’s Bay, Gisborne, and north of Wellington often lived in weatherboard cottages. This writer also stated that many Māori in the Auckland and Northland areas, especially the Bay of Islands and the Hokianga lived in European-style homes while others in these areas still lived ‘in the low-carved whares of their ancestors’.⁷⁶

⁷⁵ Hīroa, *The Coming of the Maori*, p. 135

⁷⁶ ‘The Maori of Today’, *Auckland Star*, 1 December 1898, p. 9

By the late nineteenth century, it would appear that many Māori had adopted colonial materials to build their homes. Their homes could be described as colonial hybrid dwellings to reflect their increasing loss of control over land (therefore building location) and their increasing adoption of colonial building materials. It would also appear that economic status was attributed to the construction of European-style houses on Māori land.

1.7 How did local authority rating and public works legislation affect housing on Māori land?

During the late nineteenth century, the main local authorities in New Zealand were the provincial councils and the roads boards, and both local authorities and the Crown were able to take Māori land for public works. The roads boards were initially set up under the Public Roads and Works Ordinance 1845.⁷⁷ As noted by historian Cathy Marr: ‘Under section 27 [of the Public Roads and Works Ordinance 1845], the boards were able to levy rates to defray expenses but Crown and native land were specifically excluded from rating’.⁷⁸

Local authorities’ ability to levy rates on Māori land to pay for the construction and upkeep of roads and other public works varied in the late nineteenth century. Under the Highways Boards Empowering Act 1871, these boards were able to levy rates on Māori land. Under Section 5 of this Act, ‘Crown and Native land [were] liable to rates in certain cases’, which included being under a Native Land Court certificate of title or being occupied by a Pākehā.⁷⁹ Five years later, the enactment of the Rating Act 1876, made Māori land exempt from paying rates.⁸⁰ Marr stated that ‘the Crown and Native Lands Rating Act 1882 provided for the rating of Maori-owned land, whether held by title derived from the Crown or by customary title, within five miles of a public road in order to contribute towards the maintenance of the road and other public works’.⁸¹

In the *Tauranga Moana, 1886–2006: Report on the Post-Raupatu Claims*, the Waitangi Tribunal found that under the provisions of the Crown and Native Lands Rating Act 1882, 3.5 million acres out of 13 million acres of Māori land could be levied for rates by 1883, and this amount of Māori land was extended by new legislation in the 1890s.⁸² The Tribunal also found in this report that imposing rating

⁷⁷ Public Roads and Works Ordinance 1845, (No 6, 8 Victoriae), p. 1

⁷⁸ Cathy Marr, *Public Works Takings of Maori Land, 1840–1981*, Rangahaua Whanui Series, Wellington: Waitangi Tribunal, 1997, p. 39

⁷⁹ Highway Boards Empowering Act 1871 (No 8, 35 Victoriae), p. 40

⁸⁰ Rating Act 1876 (No 49, 40 Victoriae), p. 214

⁸¹ Marr, *Public Works Takings of Maori Land, 1840–1981*, p. 110

⁸² Waitangi Tribunal, *Tauranga Moana, 1886–2006, Report on the Post-Raupatu Claims*, Wellington, Legislation Direct, 2010, p. 32

on Māori land did not take into consideration that Māori had already financially contributed to local and central government through a ‘de facto 10 per cent sales tax on all Māori land sold ... and the unpopular dog tax instituted in 1880’.⁸³ Although the Tribunal did not make specific findings in this report about how the levying of rates affected housing on Māori land, it did find that during the late nineteenth century many low-income Māori ‘still had interests in land but their economic circumstances meant they had little money with which to pay rates ... particularly in Tauranga area, following the raupatu [confiscation]’.⁸⁴

A lack of money to pay rates could lead to the loss of Māori land from the enactment of the Ratings Acts Amendment Act 1893 until 1988.⁸⁵ This Act enabled Māori land to be sold for ‘non-payment of rates’, but required the Trust Commissioner to carry out an inquiry first and the Native Minister to consent to the sale.⁸⁶ In *The Hauraki Report*, the Tribunal found that under this legislation, the Crown could also place Māori land, which was in rates arrears, ‘in receivership and leased to pay the debt’.⁸⁷ It appears unlikely that Māori land that was leased out or sold to repay rates arrears could be still be used by Māori communities for housing purposes.

Māori land was also made unavailable for housing purposes when it was taken by local authorities or the Crown under public works legislation enacted during the late nineteenth century. Historians Heather Bassett and Richard Kay have discussed the impacts of this legislation in detail in their research report for the Porirua ki Manawatū district inquiry. Bassett and Kay argued that the Public Works Act 1882

introduced different provisions regarding the taking of Māori freehold land and Māori customary land than those for taking European land. In general, Māori land was given fewer protections than European land.⁸⁸

In its report on the Ōrākei claims, the Waitangi Tribunal found that public works legislation enabled the Crown to take land at Bastion Point (Takaparahau) in 1886 for defence purposes. The Crown’s taking of this land under the Public Works Act prevented Pāora Tūhaere (a Ngāti Whātua Ōrākei rangatira) from carrying out his plan to build a subdivision of leasehold properties at Bastion Point whose rents from Pākehā tenants would pay for the building and maintenance of Ngāti Whātua Ōrākei homes.⁸⁹

⁸³ Waitangi Tribunal, *Tauranga Moana, 1886–2006, Report on the Post-Raupatu Claims*, p. 325

⁸⁴ Waitangi Tribunal, *Tauranga Moana, 1886–2006, Report on the Post-Raupatu Claims*, p. 380

⁸⁵ Waitangi Tribunal, *The Hauraki Report*, p. 1018

⁸⁶ Rating Acts Amendment Act 1893 (57 VICT 1893 No 43), p. 194

⁸⁷ Waitangi Tribunal, *Hauraki Report*, p. 971

⁸⁸ Heather Bassett and Richard Kay, ‘Public Works Issues’, 2018, (Wai 2200, #A211), pp. 29-30

⁸⁹ Waitangi Tribunal, *Report of the Waitangi Tribunal on the Orakei Claim (Wai-9)*, Wellington: Brooker and Friend, 1991, pp. 3-4

Public works legislation continued to be used to alienate Māori land in the twentieth century and the impact of this legislation on housing on Māori land will be returned to later in this report. The impact of public works legislation on Māori housing in the nineteenth century is discussed in more detail in Paul Christoffel's report for this inquiry.⁹⁰

1.8 What adverse health impacts for Māori, if any, were linked to inadequate housing and access to housing assistance on Māori land?

The connection between substandard housing and Māori ill-health was already well-established in the late nineteenth century. Contemporary observers often focused on Māori housing in discussions about how to improve Māori health.⁹¹ Housing and health improvements appeared to be aligned with socioeconomic status. Those who were able to build new houses were usually those who had the economic means to do so. This means that government housing assistance for Māori living in poverty would most likely have helped improve Māori health in the late nineteenth century. However, this assistance was not forthcoming.⁹² Overcrowded houses were connected to an increased risk of poor health outcomes.⁹³ According to Helen Robinson:

Poverty required people to live in small houses, which increased the likelihood that they would be overcrowded and hasten the spread of disease ... Pākehā commonly regarded Māori housing as a major cause of ill-health ... Despite this, there is no evidence of any state action to improve Māori housing in the nineteenth century.⁹⁴

Reports to the Native Department in the late nineteenth century provided information to the Crown about inadequate housing conditions and their connection to adverse health impacts for Māori. In 1879, the Bay of Islands Resident Magistrate Edward Williams stated that some Māori had improved their housing conditions by constructing new wooden houses. Williams reported that some 'Maori whares ... are of a most miserable description' and he blamed overcrowded and unventilated dwellings for causing preventable diseases and deaths in his community.⁹⁵ During the same year, Reverend James Stack in Canterbury similarly connected Māori housing conditions with sickness and death in his

⁹⁰ Christoffel, 'Historical Māori Housing 1840–1934', pp. 156–157

⁹¹ Robinson, 'Te Taha Tinana', p. 39; Carey Robson, "I Cannot See What Makes the Difference Except Race": Representations of Māori Health 1880–1920', MA thesis, University of Auckland, 2007, p. 16

⁹² Ferguson, *Building the New Zealand Dream*, p. 29; See also Binney with O'Malley, 'The Quest for Survival, 1890–1920', pp. 298–299

⁹³ Raeburn Lange, *May the People Live: A History of Maori Health Development 1900–1920*, Auckland: Auckland University Press, 1999, pp. 22–23

⁹⁴ Robinson, 'Te Taha Tinana', p. 42

⁹⁵ Edward Williams, Resident Magistrate, Bay of Islands to the Under Secretary, Native Department, 19 May 1879, AJHR, G-1, 1879, p. 3

district.⁹⁶ In 1880, Spencer von Stürmer, the resident magistrate for the Hokianga, reported: ‘The want of proper ventilation in their houses ... being small, damp, and overcrowded ... is also another cause of disease.’⁹⁷ Dr Martin Payne (the native medical officer for the Thames District) also linked substandard housing conditions to adverse Māori health outcomes in 1885.⁹⁸

In some cases, these reports encouraged the Crown to take more action to improve housing conditions for Māori, either by force, or by encouraging the individualisation of title. Stack suggested that the Board of Health should be ‘empowered to enforce upon them attention to sanitary measures’.⁹⁹ In 1888, the Mangonui Resident Magistrate H.W. Bishop stated that he had ‘very little hope’ that housing conditions would improve ‘until the Natives are forced to individualise their land-titles, and thereby encouraged to break up their communistic style of living’.¹⁰⁰ His suggestion could also be viewed as a reflection on the motivations of existing government policy, which aimed to make Māori land alienable.

During the late nineteenth century, Māori health problems were often also attributed to a shift from hilltop pā sites to low-lying areas. There was a widespread belief that kāinga located ‘on or near low-lying, damp or swampy ground’ caused sickness. This belief originated from the miasmatic theory of disease which blamed bad airs, including from swamps or low-lying areas, for causing disease and ill-health.¹⁰¹ Some historians have questioned whether pre-contact Māori permanently occupied their hilltop pā, or if they only lived there when under attack.¹⁰² However, it is clearer that nineteenth-century land loss resulted in a change of lifestyle from moving between food resources to living in the same (often low-lying) area all year round.¹⁰³

Some nineteenth-century reports to the Native Department attributed Māori health problems to their homes being situated in unhealthy low-lying or damp localities without adequate sanitary facilities. In 1879, Reverend James W. Stack reported to the Native Minister:

⁹⁶ Reverend James W. Stack, ‘Report on Canterbury Maoris for year ending 30 June 1879’, AJHR, G-1, 1879, p. 21

⁹⁷ Spencer von Stürmer, ‘Mr. von Stürmer, R.M., Hokianga, to the Under Secretary, Native Department’, AJHR, G-4, 1880, p. 2

⁹⁸ Martin Payne, ‘Dr Martin Payne, the Native Medical Officer for the Thames District to the under-secretary of the Native Department, May 1885’, AJHR, G-1, 1885, p. 2

⁹⁹ James W. Stack, ‘Report on Canterbury Maoris for Year ending 30th June 1879’, AJHR, G-1, 1879, p. 22

¹⁰⁰ H.W. Bishop, ‘Mr. H. W. Bishop, R.M., Mangonui, to the Under-Secretary, Native Department’, AJHR, G-5, 1888, p. 1

¹⁰¹ Waitangi Tribunal, *Napier Hospital and Health Services Report*, Wellington: Legislation Direct, 2001, p. 80; See also Lange, *May the People Live*, p. 21

¹⁰² Lange, *May the People Live*, pp. 20-21; Angela Ballara, ‘Settlement patterns in the early European Maori phase of Maori society’, *Journal of the Polynesian Society*, 88, 2, 1979, p. 211

¹⁰³ Lange, *May the People Live*, pp. 20-21; Robinson, ‘Te taha tinana’, p. 40; Palmer, ‘Building Sustainable Papakāinga to Support Māori Aspirations for Self-determination’, p. 36

Now that the Maoris are forced to live ... from year to year in the same place, they cannot realize the fact that the refuse heaps, which were harmless when they were in the habit of frequently changing their places of abode, are now hot-beds of disease. They do not know that their healthiness in former times was greatly owing to the position of their villages, which were situated on sloping hill-sides, or on sandy soil, which aided drainage, and to their mode of cooking food in their ovens, which consumed much of what is now allowed to fester round their dwellings.¹⁰⁴

In 1884, Bishop blamed Māori for choosing to locate their kāinga in these unhealthy locations, but did not acknowledge that land loss and trade with Pākehā had contributed to them moving to these areas.¹⁰⁵ The Gisborne Resident Magistrate James Booth asserted in 1892 that 'in former times' Māori in this district lived in pā on higher ground with good drainage, but now preferred to build their kāinga in low-lying areas to be close to their cultivations because they no longer felt under threat of attack. He attributed the spread of infectious diseases, including typhoid and influenza, and the high number of fatalities in the last year especially among children and the elderly to Māori housing in low-lying areas.¹⁰⁶

In his 1910 Doctor of Medicine thesis, Te Rangi Hīroa discussed changes in Māori sanitary conditions during the nineteenth century and the connection between health and housing. Te Rangi Hīroa stated that when Captain James Cook visited New Zealand in the eighteenth century, he commented 'that the sanitation of these Maori villages was in a far higher state of efficiency than many of the cities of Europe'. According to Te Rangi Hīroa, European settlement had led to the relocation of kāinga and the discontinuation of these types of sanitary arrangements. Māori left their hilltop homes to be 'nearer the flax where men, women and children, worked feverishly, scraping the blades of flax with shells to obtain the fibre to exchange for guns'. As he explained in his thesis, when whare were built on low-lying ground or beside wetlands, pre-existing sanitary systems developed for higher ground were no longer possible and the soil and streams near kāinga became increasingly contaminated by faecal matter. This resulted in the spread of waterborne diseases, including typhoid. Te Rangi Hīroa also blamed these living conditions for the transmission of tuberculosis.¹⁰⁷

¹⁰⁴ James W. Stack, 'Report on Canterbury Maoris for Year ending 30th June 1879', AJHR, G-1, 1879, p. 21

¹⁰⁵ H.W. Bishop, 'H. W. Bishop, Esq., R.M., Mangonui, to the Under-Secretary, Native Department', AJHR, G-1, 1884, p. 1; See also Peter Henry Buck, 'Medicine amongst the Maoris in ancient and modern times', MD thesis, University of Otago, 1910, p. 84; See also Robinson, 'Te taha tinana', pp. 26-27

¹⁰⁶ J. Booth, 'Mr. J. Booth, Gisborne, to the Acting Under-Secretary, Native Department', AJHR, G-3, 1892, p. 8

¹⁰⁷ Buck, 'Medicine amongst the Maoris in ancient and modern times', p. 84

The rapid spread of tuberculosis and influenza amongst Māori in the nineteenth century was often attributed to overcrowded and unventilated homes.¹⁰⁸ In 1862, J.E. Gorst, the Waikato resident magistrate, attributed the prevalence of ‘scrofulous disease’ (as tuberculosis was sometimes referred to at this time) to the overcrowded, ‘leaky and smoky’ dwellings inhabited by many Māori that he visited in the Waikato.¹⁰⁹ Thomas Lambert, the native dispenser (an unqualified medical officer who received a small government subsidy) for the Wairoa County, similarly reported in 1884 on the connection between ‘pulmonary complaints, low fevers, and scrofulous’ infections, and ‘over-crowded and ill-ventilated dwellings’ in Māori communities that he visited in his role.¹¹⁰ Likewise Bishop reported in 1892 that the prevalence of ‘fatal pulmonary complaints’ among Māori was partially due to living in overcrowded and unventilated ‘low whares’.¹¹¹ In her research report for the Te Rohe Pōtae District Inquiry, Helen Robinson stated that ‘modes of living which had no major health impacts prior to European contact may have facilitated the spread of new diseases’. Sleeping in a communal dwelling may not have affected Māori health before tuberculosis became prevalent in Māori communities. Tuberculosis is spread more easily transmitted in unventilated and crowded dwellings.¹¹² Influenza was another introduced disease that spread rapidly through Māori communities during the nineteenth century and was connected to housing conditions.¹¹³

1.9 How did the Crown respond to health issues associated with housing on Māori land?

In the *Hauraki Report*, the Tribunal found that medical officers had reported on the connection between housing and health since the 1880s, but the Crown did not make a systematic effort to respond to this issue until the 1930s.¹¹⁴ The Tribunal also found that ‘in light of the constant drawing of attention to Maori needs by schoolteachers and district nurses from the 1870s onwards ... Crown was particularly parsimonious and tardy in assisting Maori in the areas of health and housing’.¹¹⁵ In the *Wairarapa ki Tararua Report*, the Tribunal similarly found that, by the late nineteenth century, the Crown was well-

¹⁰⁸ Mason Durie, *Whaiora: Māori health development*, Auckland: Oxford University Press, 1998, pp. 33-34; Waitangi Tribunal, *Mohaka ki Ahuriri Report*, Wellington: Legislation Direct, 2004, p. 666

¹⁰⁹ J.E. Gorst, ‘General Report’, AJHR, E-9, 1862, p. 12

¹¹⁰ Thomas Lambert, ‘To the Hon. Native Minister’, 1 May 1885, AJHR, G-2a, 1885, pp. 8-9

¹¹¹ H.W. Bishop, ‘To the under-secretary, Native Department’, 24 June 1892, AJHR, G-3, 1892, p. 1

¹¹² Robinson, ‘Te taha tinana’, p. 19, p. 26, p. 40

¹¹³ ‘Maori Homes’, *South Canterbury Times*, 30 August 1892, p. 2; J. Booth, ‘Mr. J. Booth, Gisborne, to the Acting Under-Secretary, Native Department’, AJHR, G-3, 1892, p. 8

¹¹⁴ Waitangi Tribunal, *The Hauraki Report*, Wellington: Legislation Direct, 2006, Vol. 3, p. 1185

¹¹⁵ Waitangi Tribunal, *The Hauraki Report*, Vol. 3, p. 1230

aware of the connection between housing and health and ‘the large discrepancy’ in housing conditions between Māori and Pākehā, but did not begin to address these issues until the 1930s.¹¹⁶

During the late nineteenth century, the Crown primarily responded to reports of inadequate housing leading to poor health for Māori with public health education initiatives instead of providing financial support for building healthier homes and improving sanitation. This was part of the contemporary social preference to educate people about how to live healthily instead of providing housing support. It also reflected the Crown’s limited role in the provision of housing at this time. From 1884 onwards, the inspector of native schools, James Pope’s publication *Health for the Maori (Te Ora mō te Māori): A manual for use in native schools* was widely distributed and used as a textbook in native schools. This publication reflected paternalistic attempts to assimilate Māori.¹¹⁷ *Health for the Maori* demonstrated Pope’s belief that Māori ill-health was due ‘to ignorance and neglect of sanitary laws’.¹¹⁸ At this time, ill-health was often viewed as a result of personal deficit, rather than an issue that required structural intervention.¹¹⁹

Pope wrote *Health for the Maori* to promote Māori health by encouraging Māori to adopt Pākehā living conditions. According to Pope, if Māori stopped inhabiting ‘small, close whares’ and built their homes to have ample fresh air and sunshine then ‘they would most certainly live even longer than they do now’.¹²⁰ He stated that as long as Māori lived near swampy areas or had ‘swampy soil for the floors of their whares ... they can never be healthy’.¹²¹ Pope encouraged Māori to ‘live as the pakeha does, in a comfortable well-built house, with large rooms and chimneys in it, and nice warm beds’. He encouraged chimneys in the home to promote healthy ventilation as he argued that ‘the smoke that is to be found in the Maori *whare* is of itself quite enough to cause a great deal of sickness’.¹²² Pope did not explain in his textbook how Māori would afford to build these European-style homes at a time of ongoing Māori land alienation and while expensive Native Land Court costs meant that even if Māori were successful in court then they might still have to sell their land to pay for surveying, legal fees, and the costs

¹¹⁶ Waitangi Tribunal, *Wairarapa ki Tararua Report*, Vol. 1, p. 353; See also Te Runanga o Ngati Hine, Amended Statement of Claim, 1 June 2019, (Wai 2750 #1.1.6), p. 2

¹¹⁷ James H. Pope, *Health for the Maori: a manual for use in native schools*, Wellington: Government Printer, 1884; Wanhalla, ‘Housing Un/healthy Bodies’, p. 109; William Renwick, ‘Pope, James Henry’, in *Dictionary of New Zealand Biography*, Vol. 2, Wellington, 1993, p. 393

¹¹⁸ ‘Education: Native Schools’, AJHR, E-2, 1884, p. 1

¹¹⁹ Fiona Cram, Beverly Te Huia, Tracee Te Huia, Melissa Matutina Williams, and Nathan Williams, ‘Oranga and Māori Health Inequities: 1769–1992’, (Wai 2575, #B25), 2019, p. 31, pp. 44–45

¹²⁰ Pope, *Health for the Maori*, p. 52

¹²¹ Pope, *Health for the Maori*, p. 53

¹²² Pope, *Health for the Maori*, p. 75

associated with attending the hearings. However, he did acknowledge that Māori ‘too often return home [from these hearings] with empty pockets and bad health, and very often, with their land all gone’.¹²³

Pope’s publication *The Native School Reader: For Standards II and III* (1886) also included health and housing advice for Māori children. He explained the importance of fresh air in the home to prevent illness.¹²⁴ In common with his contemporaries, Pope stated that Māori used to live on high ground to be able to defend their homes from their enemies, which was also much better for their health. He argued that chimneys were excellent for preventing dampness by providing a source of fresh air in addition to their heating purposes.¹²⁵ Pope also advised against building houses near swampy or damp areas.¹²⁶ In this way, he appeared to be influenced by traditional European ideas of disease causation based on miasmas (foul-smelling vapours or ‘bad airs’ that caused sickness) as well as the newer germ theory of disease (the concept that microorganisms cause disease and infection).¹²⁷ According to Pope:

It is a bad thing to live on damp ground: the damp rises into the air and makes it bad for the lungs. People who live in this kind of air get colds and coughs. Sometimes, too, there is a sort of poison in the air over low, flat, moist ground. This poison is breathed along with the air, and makes people very ill, and sometimes kills them.¹²⁸

The idea that living on damp and low-lying land was detrimental to health would be continued into the twentieth century and would influence the location of housing construction on both Māori and general land.¹²⁹

Māori health reformers promoted Pope’s publications in the late nineteenth century. During the 1890s, young Ngāti Porou health reformers Āpirana Ngata and Rēweti Kōhere distributed numerous copies of *Te ora mo te Maori: he puka puka mo nga kura Maori*, the te reo translation of Pope’s *Health for the Maori*. Kōhere provided his own introduction and some advice with each copy that he gave away.¹³⁰

¹²³ Pope, *Health for the Maori*, p. 103; See also Tony Nightingale, ‘Tauranga Moana: A Social and Economic Impact Report 1865–1960’, 1996, (Wai 215, #A39), pp. 18–19

¹²⁴ James H. Pope, *The Native School Reader: For Standards II and III*, G. Didsbury, Government Printer: Wellington, 1886, p. 12

¹²⁵ Pope, *Health for the Maori*, p. 44, p. 70, p. 120

¹²⁶ Pope, *Health for the Maori*, p. 120

¹²⁷ Katrina Ford, ‘The Tyranny of the Microbe: Microbial Mentalities in New Zealand, c.1880–1915’, PhD thesis, University of Auckland, 2013, pp. 314–315, p. 364; Robinson, ‘Te taha tinana’, p. 40

¹²⁸ Pope, *The Native School Reader: For Standards II and III*, pp. 22–23

¹²⁹ ‘Annual Report of Director-General of Health’, AJHR, H-31, 1929, p. 32; Ella Arbury, ‘A Healthy Home? Housing and Health in Tāmaki Makaurau/Auckland 1918–1949’, PhD thesis, University of Auckland, 2019, p. 45, p. 295, p. 303

¹³⁰ Reweti Morgan, ‘Letter to William Habens’, AJHR, E-2, 1892, pp. 4–5; William Renwick, ‘Pope, James Henry’, in *Dictionary of New Zealand Biography*, Vol. 2, Wellington, 1993, p. 393, p. 395; Ngata was a Ngāti Porou leader, politician, lawyer, scholar and land-reformer. See M.P.K. Sorrenson, ‘Ngata, Apirana Turupa’, in *Dictionary of New Zealand Biography*, Vol. 3, Auckland: Auckland University Press, 1996, p. 359. Kōhere (Ngāti Porou) was a newspaper journalist and editor, Anglican clergyman, farmer, writer, and historian who also

That the pair were not always welcomed by the communities they visited is often attributed to their youth rather than the booklets they brought with them. However, as historian Raeburn Lange has noted, Ngata and Kōhere's early campaigns' ineffectiveness encouraged them 'to grapple with the problems and to work out practical strategies for leadership'.¹³¹ John Thornton, the headmaster of Te Aute College (an influential Anglican boarding school for Māori boys in Hawke's Bay, which was attended by Ngata and Kōhere), wrote in 1892 that a young rangatira who attended his college used Pope's book to insist 'upon a better description of house, better ventilation, and improved drainage ... among his own people'. Thornton argued that teaching Māori children about cleanliness and sanitation was one of the most effective ways to promote Māori health.¹³²

Another method proposed to promote Māori health during the late nineteenth century was the publication of a circular or poster providing sanitary advice. In 1895, Dr James Mason (a general practitioner in Ōtaki at this time and later chief health officer for the Department of Public Health) wrote to the Native Minister and Premier Richard Seddon about Māori living in Ōtaki lacking adequate knowledge about sanitation. Mason described how Māori in this community were pumping water from shallow wells:

within a few yards of the back of the house, the slop-water is simply thrown upon the ground, the privy is in close proximity, pigs, poultry and dogs deposit their excreta upon the surface close by, and the result is that instead of pure wholesome water being pumped up, it is in most cases nothing more than an imperfectly filtered disease producing liquid.¹³³

He proposed to draft a circular for Māori providing sanitary advice in an attempt to prevent the spread of waterborne diseases.¹³⁴ The Department of Justice's Under-Secretary Charles Haselden replied to Mason's letter with a copy of James Pope's *Health for the Maori* (which included similar sanitary advice to the proposed circular), and promised to send translated copies of this book to native school teachers around the country once it had been reprinted.¹³⁵ After receiving Haselden's letter, Mason wrote again to Seddon to suggest that a poster might be produced to summarise the sanitary advice in his previous letter (and Pope's book). Mason suggested that it could be displayed on the walls of Māori

sometimes used the name Reweti Morgan. See Rarawa Kohere, 'Kohere, Reweti Tuhorouta', in *Dictionary of New Zealand Biography*, Vol. 3, Auckland: Auckland University Press, 1996, p. 266

¹³¹ Lange, *May the People Live*, p. 93

¹³² J. Thornton, 'A Present-day View of the Maori Race', March 1892, AJHR, E-2, 1892, pp. 4-5

¹³³ James Mason, 'Letter to Richard Seddon', 13 August 1895, Dr Mason, Otaki Date: 13 August 1895 Subject: 'Suggesting that a circular be issued giving instructions to Natives in regard to the sanitary arrangements of their dwelling houses etc', R24566585, Archives NZ, Wellington

¹³⁴ Mason, 'Letter to Richard Seddon', 13 August 1895

¹³⁵ Charles Haselden, 'Under-Secretary of the Department of Justice' to Dr Mason', 13 September 1895, Dr Mason, Otaki Date: 13 August 1895 Subject: 'Suggesting that a circular be issued giving instructions to Natives in regard to the sanitary arrangements of their dwelling houses etc', R24566585, Archives NZ, Wellington

homes.¹³⁶ In October 1895, Pope became involved with choosing the dialogue and imagery for this poster. The poster's text included a discussion about water purity and where it had come from along with additional information extracted from Pope's *Health for the Maori* (see Figure 1.2 for a photograph of this poster).¹³⁷ It remains unclear whether this poster was distributed as planned.

Public health education and improved housing did not always result in better health outcomes for Māori. For example, G.T. Wilkinson reported in 1884 on improved housing conditions for Māori, but continued ill-health:

The houses are now mostly larger and better built than they used to be ... Considering the number of Natives that sometimes congregate there, this settlement will compare very favourably with any other that I know of for cleanliness. Unfortunately, despite all these signs of improvement in their social condition, I am sorry to say that their physical condition does not improve in a corresponding degree. Sickness is still very prevalent amongst them ... consumption, asthma, low fever, and inflammation of the lungs have been busy at work during the past year, and a considerable number of deaths from those causes have been the result.¹³⁸

Improving housing was only one aspect of promoting Māori health during the late nineteenth century. Land loss often led to inadequate nutrition for Māori in the late nineteenth century, which contributed to their increased vulnerability to newly introduced infectious diseases along with poor sanitary conditions.¹³⁹ As noted by J.P. Koning and W.H. Oliver in their research report, the Māori 'food economy ... was based on both intensive and extensive use of land'.¹⁴⁰ Land loss substantially restricted the areas available to Māori for gathering and growing nutritious food. Their replacement food items (obtained by trade or involvement in the cash economy), including bread, salted meat, tea and potatoes, did not provide as nutritious diet as fish, birds, berries, and kūmara. The connection between inadequate

¹³⁶ James Mason, 'Letter to Richard Seddon', 20 September 1895, Dr Mason, Otaki Date: 13 August 1895 Subject: 'Suggesting that a circular be issued giving instructions to Natives in regard to the sanitary arrangements of their dwelling houses etc', R24566585, Archives NZ, Wellington

¹³⁷ James Pope, 'Memorandum', 10 October 1895, Dr Mason, Otaki Date: 13 August 1895 Subject: 'Suggesting that a circular be issued giving instructions to Natives in regard to the sanitary arrangements of their dwelling houses etc', R24566585, Archives NZ, Wellington

¹³⁸ G. T. Wilkinson (the Government Native Agent for Thames, Auckland, and Waikato) report to the Under-Secretary, Native Department in 1884, AJHR, 1884, G-1, p. 6

¹³⁹ Kathryn Rose, 'The Impact of Confiscation: Socio-Economic Conditions of Tauranga Maori, 1865–1965', 1997, (Wai 215, #A38), p. 2; J.P. Koning and W.H. Oliver, 'Economic decline and social deprivation in Muriwhenua 1880–1940', 1993, (Wai 45, #L8), pp. 20–21; Ian Pool, *Colonization and Development in New Zealand between 1769 and 1900: The Seeds of Rangiatea*, Springer International Publishing; Switzerland, 2015, p. 205, p. 208, p. 213, p. 238

¹⁴⁰ Koning and Oliver, 'Economic decline and social deprivation in Muriwhenua 1880–1940', pp. 20–21



HOANI.—I haere mai koe ki te aha?
 PITA.—Ki te tiki wai moku.
 HOANI.—He wai pai ranei tenei?
 PITA.—He wai tino pai tenei.
 HOANI.—No hea tona pai; no
 te taipu pirau nei ranei; no te
 poaka nei ranei; no te whare iti
 nei ranei?

Kia mohio koutou he mea tika kia tupato rawa nga tangata ki te wai e inumia ana e ratou, kua o
 titiro ki te mara ana o te wai, engari me tiki ano i nga wahi kahore nei e uru ana nga mea
 paruparu ki roto. Mehemea koi te putake o tetahi puhi te puna wai e inumia ana, me haere marire ano
 ki te titiro mehemene ranei kahore he mea kino e runga ake o tana wai, kei heke iho hoki ana mea kino
 ki roto ki te puna ana ka un. He mea kino rawa te iwi i te wai o te puna mehemene he wahi tapu, he
 kuinga ranei kei runga tahi ake, na te mea he mea ano ka riro iho nga mea kino ki roto ki tana puna
 ina ua, a mehemene he putake mate kei roto i ana mea kino ka noko tonu i roto i tana puna ka nui haere,
 nawai a ka pa he mate kirika ki nga tangata, a ka rapurapu nga tangata he aha ranei te take o tana mate.
 A kia tupato ano hoki te tangata, kei iwi i nga wai o nga puna e inumia ana e te hoio e te poaka,
 matemene e kino ana nga puna wai e inumia ana e te poaka, e hore e pai hei iwi ma te hoio e te poaka.
 E tino mohiotia ana he nui nga mate kirika, nga mate koauhi e pa ana ki nga Maori i to ratou inamanga i nga
 wai kua kino i te hoio, i te kua, i te poaka. He mea ano e hore e tana he wai pai hei iwi, tana ano
 tetahi tangata o pai ai te wai kino hei iwi, me kohen tana wai kia koropu ha waiho ai kia roa e tu ana
 kia maoa ka iwi ai; engari kua e inumia nga paru o raro. Tera pea koutou e ui mai, he aha te take i
 koinaia ni tana wai? Ko te take kia mate-mate ai nga putake mate o roto.

By Authority: HANNA CHISALL, GOVERNMENT PRINTER, WELLINGTON.

Figure 1.2: ‘Suggesting that a circular be issued giving instructions to Natives in regard to the sanitary arrangements of their dwelling houses etc’,
 R24566585, Archives NZ, Wellington

nutrition and decreased resistance to infectious diseases, such as tuberculosis, influenza and typhoid, and higher rates of infant mortality is well-established.¹⁴¹

¹⁴¹ Rose, ‘The Impact of Confiscation: Socio-Economic Conditions of Tauranga Maori, 1865–1965’, p. 2; Pool, *Colonization and Development in New Zealand between 1769 and 1900: The Seeds of Rangiatea*, p. 208, p. 228, p. 238; Alistair Woodward and Tony Blakely, *The healthy country? A history of life and death in New Zealand*, Auckland: Auckland University Press, 2014, p. 68, p. 151

During the late nineteenth century, some Māori requested government assistance with water supplies for their communities. Government officials declined requests for water tanks for Māori communities in Otago and Porirua in the 1890s.¹⁴² In 1894, Petera te Pukuatua and others from Ōhinemutu on the shores of Lake Rotorua asked Jean Michel Camille Malfroy (the chair of the Rotorua Town Board) for help obtaining government support for a piped water supply to their community. Malfroy wrote to the Surveyor-General in Wellington on their behalf describing their need for ‘good drinking water’. He asked for £30 to cover the costs of pipes, taps, and compensation to a local shopkeeper for the use of his pipe to transport water from the existing water main to the new pipes.¹⁴³ Research did not reveal whether this request was successful. As the next chapter will discuss, government subsidies for sanitation and piped water supplies for Māori communities seeking to improve their living conditions were increasingly available in the early twentieth century to prevent waterborne diseases such as typhoid.

1.10 How did Parihaka leaders seek to address the housing needs of their community?

Parihaka was chosen for this report as it is one of most well-documented nineteenth-century Māori communities and provides a unique example of Māori leadership seeking to provide housing. This case study shows that both political leadership and financial support from Māori around Aotearoa enabled the building and rebuilding of a community, which aimed to provide good-quality housing and housing-related amenities, such as clean drinking water, without financial support from the Crown. Deidre Brown argued: ‘Parihaka’s architecture is significant because it used the idea of settlement to demonstrate rangatiratanga through challenging Pākehā occupancy and developing a carefully planned and built community.’¹⁴⁴ This report’s Parihaka case study concentrates on the housing-related aspects of the construction and rebuilding of this dynamic Māori community, before and after the Crown’s invasion and destruction of the community in 1881.

In 1867 Taranaki rangatira Te Whiti-o-Rongomai III and Tohu Kākahi chose the site for Parihaka to build a peaceful pan-tribal papakāinga in a clearing surrounded by native forest with a stream running through it. They invited homeless Māori (including widows and fatherless children) to come and live

¹⁴² Derek Dow, *Maori Health and Government Policy 1840–1940*, Wellington: Victoria University Press, 1999, pp. 87–88

¹⁴³ Jean Michel Camille Malfroy, ‘Letter to Surveyor-General’, 12 June 1894, From: Petera te Pukuatua and others, Ohinemutu Native Pa Date: 14 January 1895 Subject: Regarding supply of water for the Ohinemutu Pa, R24565878, Archives NZ, Wellington

¹⁴⁴ Deidre Brown, *Māori Architecture: From Fale to Wharenui and Beyond*, Auckland: Penguin Group, 2009, p. 71

in this community built on confiscated land.¹⁴⁵ By the early 1870s, more than one hundred thatched whare had been constructed ‘in an orderly plan’ surrounding two marae (one for Te Whiti and one for Tohu).¹⁴⁶

In 1871, the medical officer for the Taranaki and Egmont districts, Dr Patrick Joseph O’Connell, visited Parihaka and wrote that there were twenty-nine whare on the south-west side of the stream and 124 whare on the north-west side including ‘the good substantial cook houses with which each whare is provided’. O’Connell reported that Parihaka was ‘the cleanest pa’ he had visited in Tauranga, Waikato, or Taranaki, and that its cleanliness mitigated against the potential health risks of being located on low-lying land. He praised the healthiness of the approximately 300 inhabitants and the lack of infectious diseases afflicting other Māori communities at this time.¹⁴⁷

Another medical doctor, Dr A.K. Newman, visited Parihaka in October 1881 and described the living conditions of its approximately 400 dwellings in an article published in the *New Zealand Times*. Newman stated that he had been told that ‘Parihaka was in a desperately unhealthy condition, and little short of a muck-heap’, but found most people looked healthy. Although, he did hear ‘three or four’ of them cough in a manner that indicated that they had tuberculosis. He reported that, during his visit to Parihaka, he found no evidence to confirm ‘the mis-statements about its unhealthiness’. In common with O’Connell, he commented on the cleanliness of the homes and surrounding areas:

I wandered down the main thoroughfares and walked through the lanes, peering into whares as I went, but I saw no filth; on the contrary, the place is singularly clean, and must be regularly swept and all dirt removed almost daily. The town lies on the slope of several small hillocks, so the drainage is excellent, and the soil is sandy and soon dries.¹⁴⁸

Newman may have been referring to an article published in the *Taranaki Herald* in September 1881, which criticised Parihaka’s housing conditions. This article claimed that Parihaka:

was fearfully affected with vermin ... which has been induced by the crowded state of the whares and the want of cleanliness. Parihaka is absolutely filthy for want of sanitary precautions, and it is anticipated that as summer advances some pestilential disease will make its appearance.¹⁴⁹

¹⁴⁵ Dick Scott, *Ask that mountain: The story of Parihaka*, Heinemann/Southern Cross: Auckland, 1975, pp. 27-28; See also Binney with O’Malley and Ward, ‘The Land and the People 1860–1890’, p. 263

¹⁴⁶ Patrick Joseph O’Connell, ‘Assistant-Surgeon to Mr Parris, Taranaki’, 20 March 1871, AJHR, F-6b, 1871, p. 16

¹⁴⁷ O’Connell ‘Assistant-Surgeon to Mr Parris’, p. 16

¹⁴⁸ A.K. Newman, ‘Parihaka’, *New Zealand Times*, 7 October 1881, p. 6

¹⁴⁹ ‘The State of Parihaka’, *Taranaki Herald*, 12 September 1881, p. 2

The unnamed writer claimed that if some event did occur to ‘drive the natives from Parihaka back to their old settlements ... [it] ... would not be without its beneficial effects’.¹⁵⁰ This claim was made within the wider context of the Parihaka community’s peaceful resistance to land confiscation, which included removing land surveyor’s pegs, ploughing confiscated land, and reconstructing fences removed by surveyors. As noted by Brown, ‘Parihaka was on confiscated land and its settlement was seen as an act of defiance by the government’.¹⁵¹



Figure 1.3: Overlooking Parihaka Pa (1881),
Parihaka album 1. Ref: PA1-q-183-07. Alexander Turnbull Library, Wellington, New Zealand.

¹⁵⁰ ‘The State of Parihaka’, *Taranaki Herald*, 12 September 1881, p. 2

¹⁵¹ Brown, *Māori Architecture: From Fale to Wharenui and Beyond*, p. 71

It is important to note here the unusual circumstances of the Taranaki confiscation. The Crown did not initially enforce confiscation of large extents of land in Taranaki, hence the situation of Parihaka where Māori were able to reoccupy confiscated land undisturbed until 1878 when the government began surveying this land. Parihaka was a unique situation. The immediate enactment of land confiscation in other parts of the country lead to Māori being unable to build on their confiscated land.¹⁵²

In October 1881, other newspaper correspondents visited Parihaka to report on the settlement.¹⁵³ Reverend J. Luxford, a Wesleyan minister, reported that accounts about unhealthy housing at Parihaka were untrue and that there were approximately ‘600 whares, and everything is clean and tidy’.¹⁵⁴ Another correspondent described Parihaka as ‘the principal Maori stronghold in New Zealand ... an enormous native town of quiet and imposing character with ... regular streets of houses’.¹⁵⁵

One month later, these houses were destroyed as part of the government’s invasion and occupation of Parihaka. On 5 November 1881, the Native Minister John Bryce led a military force of 1,589 troops to invade and occupy Parihaka. In its *Taranaki Report*, the Waitangi Tribunal found that there was initially an information blackout of this invasion, but later media reports revealed:

images of assaults; rape; looting; pillage; theft; the destruction of homes; the burning of crops; the forced relocation of 1556 persons without money, food or shelter; the introduction of passes for Maori to facilitate the military’s control of movements in the area; and the suspension of trials and other legal safeguards when it appeared that lawful convictions might not be achieved.¹⁵⁶

More houses were destroyed in late November and building materials from these dwellings were re-used to build an armed constabulary camp near Parihaka. In April 1882, the armed constabulary demolished further Parihaka houses to punish the community for holding a meeting despite a ban on gatherings.¹⁵⁷ According to architectural historian Peter Wood, ‘the destruction of the material fabric of the village – its architecture – was a purposeful action designed to erase any legitimate presence over the land’. He argued that broader Pākehā concerns about Māori political independence and Pākehā settlers’ demands for fertile farmland motivated the destruction of this community.¹⁵⁸

¹⁵² Brown, *Māori Architecture: From Fale to Wharenui and Beyond*, pp. 71-72; O’Malley, ‘Te Rohe Potae War and Raupatu’, pp. 10-11, p. 739; Binney with O’Malley and Ward, ‘The Land and the People 1860–1890’, pp. 263-264

¹⁵³ Waitangi Tribunal, *The Taranaki Report: Kaupapa Tuatahi*, p. 214

¹⁵⁴ ‘Tohu at Home’, *Evening Post*, 3 October 1881, p. 3

¹⁵⁵ ‘Sketch of Parihaka’, *Taranaki Herald*, 18 January 1882, p. 2

¹⁵⁶ Waitangi Tribunal, *The Taranaki Report: Kaupapa Tuatahi*, p. 206

¹⁵⁷ Waitangi Tribunal, *The Taranaki Report: Kaupapa Tuatahi*, pp. 237-238

¹⁵⁸ Peter Wood, ‘Parihaka-tecture’, *AHA: Architectural History Aotearoa*, 10, 2013, p. 77

The rebuilding of Parihaka began in 1883 when Te Whiti and Tohu were released from prison in the South Island. Māori from across the motu donated food and money to support Parihaka. By 1884, new homes had been constructed surrounding the marae to replace those destroyed by the armed constabulary.¹⁵⁹ In his 1897 speech at the Te Aute College Students' Association Conference, Te Rangi Hīroa contrasted the rebuilt Parihaka with the one he had visited as a child. During his earlier visit, houses and other buildings were constructed from raupō and toetoe 'with very few wooden buildings'. In the late 1890s, Te Rangi Hīroa saw weatherboard houses with corrugated iron roofs and stated that Parihaka would soon look like a Pākehā township.¹⁶⁰

In her history of Māori architecture, Deidre Brown described how Te Whiti and Tohu rebuilt their community. According to Brown:

Te Whiti and Tohu were not convinced that the benefits of Western culture could only be enjoyed through assimilation ... Instead of rejecting Pākehā technology, they sought to embrace it on their own terms by further replacing Māori modes of living with Western-style architecture, urban planning and services ... Despite the conflict between Māori and Pākehā, Māori were still keen to appropriate Western ideas, materials and technologies when they could enhance indigenous customs, lifestyles, and goals.¹⁶¹

By 1885, most of Parihaka's buildings faced the street and it was the first 'Māori settlement to have gas and electric street-lighting'.¹⁶²

An 1899 article in the *New Zealand Times* praised the housing conditions at the rebuilt Parihaka. The unnamed author described the houses in this papakāinga as 'wooden residences built in the best European style' including 'every requisite that is to be found in the better European houses'. The more substantial dwellings in this settlement had hot and cold running water. All the houses had a piped supply of clean water. Te Whiti's son-in-law Taare Waitara had helped design and supervised the reconstruction of this village. Te Whiti hired some Pākehā tradesmen to train Māori men in the community, so most of the buildings and services were built by Māori.¹⁶³

Parihaka demonstrates how Māori political leaders, despite invasion from the Crown, built and re-built a new Māori community on confiscated land, which combined traditional Māori communal lifestyles

¹⁵⁹ Waitangi Tribunal, *The Taranaki Report: Kaupapa Tuatahi*, p. 240

¹⁶⁰ Peter Buck, 'The Taranaki Maoris: Te Whiti and Parihaka', in J.B. Condliffe, *Te Rangi Hiroa: The Life of Sir Peter Buck*, Whitcomb and Tombs: Christchurch, 1971, pp. 40-41; See also Lachy Paterson, 'Rēweti Kōhere's Model Village', *New Zealand Journal of History*, 41, 1, 2007, p. 30

¹⁶¹ Brown, *Māori Architecture: From Fale to Wharenui and Beyond*, pp. 74-75, p. 79

¹⁶² Brown, *Māori Architecture: From Fale to Wharenui and Beyond*, pp. 74-75: See also Waitangi Tribunal, *The Taranaki Report: Kaupapa Tuatahi*, pp. 240-241

¹⁶³ 'Te Whiti and his people', *New Zealand Times*, 29 March 1899, p. 2

with new Pākehā building materials and domestic technologies including electric lighting and piped water supply. Visitors to this community praised its housing conditions, cleanliness, and provision of clean water. This case study is not intended to demonstrate that this kind of response was necessarily capable of being done in all parts of the country. Instead, this case study examined how one unique and well-documented Māori community drew together its resources (and received support from Māori around the country) to house and re-house its peoples in the face of Crown actions including invasion and destruction of housing.



Figure 1.4: Looking over Parihaka Pa towards Mount Taranaki (1891), Collis, William Andrews, 1853-1920: Negatives of Taranaki. Ref: 1/1-012106-G. Alexander Turnbull Library, Wellington, New Zealand.

1.11 How did the Pāpāwai political leadership seek to address the housing needs of their community and with what results?

Pāpāwai in the Wairarapa was another unique and well-documented Māori community attempting to address its housing needs in the late nineteenth century through its own political leadership. Ngāti Moe (one of the larger Ngāti Kahungunu hapū) established this papakāinga near Greytown in the 1850s. Their community was the centre of the Kotahitanga political movement in the late nineteenth century,

which sought Māori self-government at a national level and redress from the Crown. Hāmuera Tamahau Mahupuku (Ngāti Kahungunu rangatira) led this community during the late nineteenth century and was also prominent in the Kotahitanga movement.¹⁶⁴ According to Brown, Mahupuku worked diligently to improve Pāpāwai and turned it from ‘a small church settlement to a large inter-tribal gathering place using profits from local timber sales’.¹⁶⁵

Edward Maunsell (the native agent for the Wairarapa) reported to the Native Department in 1886 that much of the financial support for improvements at Pāpāwai (including the construction of new houses) came from leasing or selling their surrounding lands to Pākehā farmers. This money was also used to develop their remaining communally held land. Maunsell stated that ‘very good houses’ had been constructed at Pāpāwai from timber purchased from local sawmillers with the money received from selling totara and native timbers to the sawmillers.¹⁶⁶

By the 1890s, this prosperous community consisted of mostly weatherboard European-style houses. In 1891, a Pākehā visitor to Pāpāwai described this community of around 100 as ‘in fairly comfortable circumstances, living in European fashion in good well-built houses’.¹⁶⁷ He visited Mrs Mānihera (the widow of the Ngāti Kahungunu rangatira Te Rangi-taka-i-waho Te Mānihera) whose five-roomed house had recently been completed, which he compared favourably to most Pākehā dwellings at this time.¹⁶⁸ By 1897, Pāpāwai had a peak population of approximately 2,000 to 3,000 people.¹⁶⁹

However, as noted by the Waitangi Tribunal in the *Wairarapa ki Tararua Report*, Pāpāwai’s apparent prosperity was ‘largely illusory’, and land loss and encroaching settlement led to a ‘sad decline’ in its housing conditions in the early twentieth century.¹⁷⁰ Debts incurred for the construction costs of building this new community and hosting the Pāremata and other hui also contributed to land sales.¹⁷¹ This community’s efforts to improve their housing conditions will be returned to later in this report.

¹⁶⁴ Lange, *May the People Live*, pp. 88-89

¹⁶⁵ Deidre Brown, ‘Ngā Pāremata Māori: The Architecture of Māori Nationalism’, *Fabrications*, 12, 2, December 2002, p. 11

¹⁶⁶ E.S. Maunsell, ‘Report to under-secretary Native Department’, AJHR, G-1, 1886, p. 17

¹⁶⁷ ‘The Traveller’, *New Zealand Mail*, 22 May 1891, p. 13

¹⁶⁸ ‘The Traveller’, *New Zealand Mail*, p. 13

¹⁶⁹ Brown, ‘Ngā Pāremata Māori: The Architecture of Māori Nationalism’, p. 11; ‘Papawai Pa’, *Te Ao Hou*, March 1965, p. 37

¹⁷⁰ Waitangi Tribunal, *Wairarapa ki Tararua Report*, Vol. 1, Wellington: Legislation Direct, 2010, p. 350, p. 357

¹⁷¹ Waitangi Tribunal, *Wairarapa ki Tararua Report*, Vol. 1, p. 523



Figure 1.5: Pāpāwai Pā, Greytown (1896),
Hutton, Maia Thomas, 1918-1989: Ref: 1/2-021463-F. Alexander Turnbull Library, Wellington, New Zealand

1.12 Conclusion

During the late nineteenth century, the main development affecting housing on Māori land was land loss, which left many Māori unable to develop their remaining lands. They often struggled to access capital to improve their housing conditions, which was more readily available to Pākehā landowners at this time. During this period, many Māori lived in overcrowded and damp homes without adequate sanitation. This made them more vulnerable to introduced diseases, which they had not acquired sufficient immunity against.¹⁷² The Crown was aware of the adverse health impacts of substandard housing. However, throughout this period, the Crown had no overarching approach to addressing this issue and no housing policy at this time.

¹⁷² Binney with O'Malley and Ward, 'The Land and the People 1860–1890', p. 279; Brian Murton, 'Te Aitanga-a-Mahaki 1860–1960: The economic and social experience of a people', 2001, (Wai 814, #A26), p. 530, p. 582; Mason Durie, *Whaiora: Māori health development*, Auckland: Oxford University Press, 1998, pp. 32-34

Parihaka was a successful example of a Māori-led initiative to provide for the housing needs of its community despite the Crown's military interventions and attempts to destroy it. Pāpāwai was another example of a Māori community addressing its housing needs through its own leadership, but land loss made it difficult for this community to maintain its improved housing conditions.

Chapter Two: Promoting health through better housing, 1900–1929

2.1 Introduction

During the early twentieth century, health professionals and government officials had become increasingly aware that substandard housing and sanitary conditions were connected to adverse health impacts for Māori.¹ This chapter examines housing on Māori land with a particular, but not exclusive, focus on health. During this period, many of the Crown's interventions into housing on Māori land occurred through the Health Department. Moreover, as noted by historian Bruce Stirling, 'most primary sources referring to Maori housing conditions throughout this period, are derived from health-related sources'.²

During the early twentieth century, many Māori communities sought to improve their housing. This chapter outlines the Crown's limited funding for housing and housing-related infrastructure at a time when many Māori were living in poverty due to land loss. In 1910, only 27 per cent of land in the North Island remained in Māori ownership compared to 40 per cent in 1890. As noted earlier in this report, by 1865, only one per cent of land in the South Island remained in Māori ownership.³ Poverty, in turn, proved a further barrier in attempts by Māori to improve housing. Historian Paul Christoffel stated:

A diminishing pool of land and an inability to develop what land was left all contributed to Maori poverty. This poverty further inhibited attempts to improve Maori housing. Even when housing was improved through various government initiatives Maori often lacked the resources to maintain the property and the gains were soon lost.⁴

This chapter also examines the barriers that Māori faced attempting to access government housing programmes and the limited Crown support available to improve housing and infrastructure on Māori

¹ Deidre Brown, 'Tūrangawaewae Kore: Nowhere to Stand', in Evelyn J. Peters and Julia Christensen (eds), *Indigenous Homelessness: Perspectives from Canada, Australia, and New Zealand*, Winnipeg: University of Manitoba Press, 2016, p. 356

² Bruce Stirling, 'Wairarapa Maori and the Crown; Volume Four: Nonoke, the Struggle', 2002, (Wai 863, #A51), p. 288

³ 'Māori land loss, 1860–2000', <https://nzhistory.govt.nz/media/interactive/maori-land-1860-2000>, (Ministry for Culture and Heritage), (accessed 20 April 2022); See also Alan Ward, *National Overview*, Vol. 2, Waitangi Tribunal Rangahaua Whanui Series, Wellington: GP Publications, 1997, pp. x-xiv

⁴ Paul Christoffel, 'Education, Health and Housing in the Taihape Inquiry District, 1880–2013', 2016, (Wai 2180, #A41), p. 262

land. As this chapter demonstrates, however, it is difficult to ascertain the full extent of this support, and the impact of different strategies. Government officials' reports provide limited insights into housing on Māori land in various parts of the country. The previous chapter discussed how an awareness of the connections between substandard housing and adverse health impacts began in the late nineteenth century. In the early twentieth century, these health concerns increasingly shaped new government policies and legislation relating to Māori housing including the establishment of Maori Councils and subsidies for water-supplies and sanitation.

Finally, this chapter looks into three well-documented and unique Māori communities. First it considers Te Paea Hērangi's work in the Waikato to improve housing conditions by re-purchasing land that had been confiscated by the Crown and building new affordable dwellings for her community. The establishment of new communities on Māori land by Rua Kēnana (at Maungapōhatu in Te Urewera) and Tahupōtiki Wiremu Rātana (near Whanganui) will be used to demonstrate how these Māori leaders sought to address the housing needs of their community.

2.2 How did the Crown monitor and inform itself of Māori housing needs and preferences with respect to Māori land?

Like the second half of the nineteenth century, the Crown continued to monitor and inform itself of Māori housing conditions throughout the early twentieth century largely through government officials' reports from their ad hoc visits to Māori communities and the census. However, prior to the 1926 census, Māori censuses did not include specific questions about housing. Māori health reformers (Māui Pōmare, Āpirana Ngata, and Te Rangi Hīroa) claimed that housing on Māori land improved during the early twentieth century, but the lack of housing statistics prior to the 1926 Māori census (and the limitations of this census) makes it difficult to ascertain the extent of these improvements.⁵

Changes in how census enumerators decided whether people with Māori and Pākehā ancestry would be recorded as Māori or European depending on their lifestyle also limited Crown monitoring of Māori housing needs.⁶ According to the introductory commentary of the 1926 census:

The former practice in regard to European-Maoris of mixed blood was to include them with the European or with the Maori population according to which races was nearer in point of blood. Thus quarter-cases were treated as Europeans, and three-quarter cases as Maoris, the numbers of such cases not being recorded. Half-castes, however, were classified European or Maori

⁵ Robinson, 'Te taha tinana', p. 98; Lange, *May the People Live*, pp. 150-152; Census and Statistics Office, *Population census 1926: Compiled in the Census and Statistics Office*, Wellington: Government Printer, 1931, Vol. 13, p. 30

⁶ Robinson, 'Te taha tinana', p. 67

according to their mode of living. The classification of half-castes according to mode of living was becoming less satisfactory with each enumeration, and was discontinued in 1926 ... The Maori division ... [of this census] ... covers all Maoris of full-blood, all Maori-European half-castes, and all Maori-Europeans generally who are nearer to Maori in blood than to European. All others are classed with the European section.⁷

This makes it challenging to compare populations between these censuses.⁸ Another challenge is the lack of clear definitions for European or Māori modes of living. The 1911 Māori census reported:

There is no very defined rule to guide the Enumerators and sub-enumerators in deciding what half-castes should be classified as “living as Europeans” and “living as Maoris”. This applies especially to the South Island. Probably it would not be very inaccurate to say that all half-castes – and, indeed a large proportion of the Maoris as well – in the South Island live now in the European fashion.⁹

According to enumerators’ reports for this census, Māori were increasingly ‘departing from the old communistic habits, and were striving to carve out homes for themselves individually’.¹⁰ This may have also made it difficult for enumerators to determine who should be classified as Māori and who should be classified as European, but does provide some information about changes in housing on Māori land at this time. Therefore, census data provides only limited insights into Māori housing conditions during the early twentieth century and how these were connected to their health.

The 1901 census of the Māori population linked inadequate housing to adverse health impacts for Māori. According to Frank Waldegrave (under-secretary of the Native Department):

From the reports received by the department, it would appear that the Maoris suffer most from coughs, colds, and various forms of influenza and fever. The causes contributing to the prevalence of these complaints maybe attributed principally to the unhealthy positions in which settlements of Natives are often found, their mode of life, their indifference to the insanitary condition and surroundings of their dwelling-places, and last, but not least, a polluted water-supply.¹¹

Waldegrave did not acknowledge that these were newly introduced diseases, and that Māori did not have inherited immunity to them. He also did not consider how land loss, and the lack of access to food sources, unpolluted water, building materials, and healthcare contributed to negative Māori health

⁷ Census and Statistics Office, *Population census 1926: Compiled in the Census and Statistics Office*, Wellington: Government Printer, 1931, Vol. 13, p. 25

⁸ Robinson, ‘Te taha tinana’, p. 67

⁹ ‘Papers relating to Census of the Maori population’, AJHR, H-14a, 1911, p. 2

¹⁰ ‘Papers relating to Census of the Maori population’, AJHR, H-14a, 1911, p. 2

¹¹ F. Waldegrave, ‘Census of the Maori population’, AJHR, H-26b, 1901, p. 2

outcomes. During the same census, the sub-enumerator for eastern Wairoa reported that the lack of sanitary provisions and ‘bad sanitary state of the places they live in ... [were] ... the cause of the fever that carries them off every year’. In common with late nineteenth century government officials, he suggested that the government provide public health education about how to improve their housing conditions.¹² W.E. Goffe, who carried out the Māori census in Whanganui, Manawatū, Horowhenua, Rangitīkei, Pohangina, and Kiwitea districts, stated that Māori living in these districts were in good health. He attributed this to their shift ‘to comfortable weatherboard houses’.¹³

The 1926 census was the first Māori census to include questions about housing (see Figure 2.1 below), which made it possible to monitor Māori housing needs to a much greater extent than previously.¹⁴ This Māori census was also the first to use substantially the same questionnaire as for the general census; the first to take place at the same time as the general census; and the first to involve self-enumeration (householders completing their own forms). Nevertheless, as noted by demographer Ian Pool, it was still ‘an imperfect enumeration’ with an approximately ten per cent under count of the Māori population.¹⁵ Earlier New Zealand censuses had counted the number of dwellings and types of materials that they were constructed from, but had excluded Māori dwellings from these statistics or failed to specify the ethnicity of their occupants.¹⁶ The 1926 census recorded that there were 10,771 Māori dwellings throughout New Zealand in 1926, consisting of 7,347 private dwellings, 1,800 ‘huts and whares’, 277 ‘other dwellings’, 1,720 ‘tents and camps’, and 77 unspecified dwellings.¹⁷ According to this census, the average number of occupants for each Māori dwelling (excluding ‘tents and camps’) was 5.7 people, compared to 4.2 for a Pākehā dwelling. This census also revealed that Māori houses had fewer rooms on average than Pākehā dwellings, with most Māori living in a home with four rooms or fewer. The census may have underestimated the problems of substandard housing and overcrowding by excluding housing statistics for Māori living in tents, huts, or ‘whare’.¹⁸ This census recorded that

¹² Mr Flint, ‘Census of the Maori population’, AJHR, H-26b, 1901, p. 13

¹³ W.E. Goffe, ‘Census of the Maori population’, AJHR, H-26b, 1901, p. 16

¹⁴ Census and Statistics Office, *Population census 1926: Compiled in the Census and Statistics Office*, Wellington: Government Printer, 1931, Vol. 13, p. 30

¹⁵ Ian Pool, *Te Iwi Māori: A New Zealand Population, Past, Present and Projected*, Auckland: Auckland University Press, 1991, p. 106

¹⁶ ‘Results of a Census of New Zealand Taken for the Night of the 27th February 1871’; ‘Results of a Census of the Colony of New Zealand taken for the night of the 1st March 1874’; ‘Results of a Census of the Colony of New Zealand for the night of the 3rd March 1878’; ‘Results of a Census of the Colony of New Zealand’, 5 April 1891; ‘Dominion of New Zealand Census’, 2 April 1911; ‘Report on the results of a census of the population of the dominion of New Zealand taken for the night of the 15 October 1916’, https://www3.stats.govt.nz/historic_publications/1871-census/1871-results-census.html (accessed 26 January 2023)

¹⁷ Census and Statistics Office, *Population census 1926: Compiled in the Census and Statistics Office*, Wellington: Government Printer, 1931, Vol. 13, p. 30

¹⁸ Census and Statistics Office, *Population census 1926*, Vol. 13, p. 30; See also Robinson, ‘Te taha tinana’, p. 98

74.26 per cent of Māori lived in owner-occupied homes.¹⁹ The census showed that there were significant geographical differences in the types of housing tenure. For instance, ninety-five per cent of Māori dwellings in the Horowhenua County were owner-occupied, compared to 25 per cent in the Hauraki Plains County.²⁰

Dwelling.

To be completed by householder or person in charge of dwelling.

Te Whare.

Ma te tangata kei i a ia tenei whare e whakaki a raro iho nei.

1. Address of this dwelling. (If in country, give name of township or district, and name of county.)
Te Wahi, te Taone, te Takiwa, te Kaute kei reira tenei whare.
2. State whether a house, boardinghouse, tent, or camp, &c.
Me whakaatu he whare, he poringihauhi, he teneti, he kauta he aha noa ranei.
3. Number of rooms in this dwelling. (Do not count bathroom, washhouse, &c.)
Nga ruuma o te whare haunga te wharehoroi me era atu ruuma.
4. State whether you own or rent the house.
Whakaaturia mehemea nou ake te whare nei a kei te retia ranei e koe.

Figure 2.1: Census and Statistics Office, *Population census 1926*:
Compiled in the Census and Statistics Office, Wellington: Government Printer, 1931, Vol. 14, p. 10

The Crown also monitored and informed itself of Māori housing needs and preferences through reports from Health Department officials and Maori Council members, which will be discussed in detail later in this chapter. Their reports revealed a need for targeted legislative and policy responses to assist with addressing inadequate housing on Māori land.

2.3 What adverse health impacts for Māori, if any, were linked to inadequate housing on Māori land?

Health officials connected substandard housing on Māori land to the disproportionate effect of the 1913 smallpox epidemic on Māori communities. American Mormon missionary Richard Shumway

¹⁹ Census and Statistics Office, *Population census 1926*, Vol. 13, p. 30

²⁰ Census and Statistics Office, *Population census 1926*, Vol. 14, p. 9

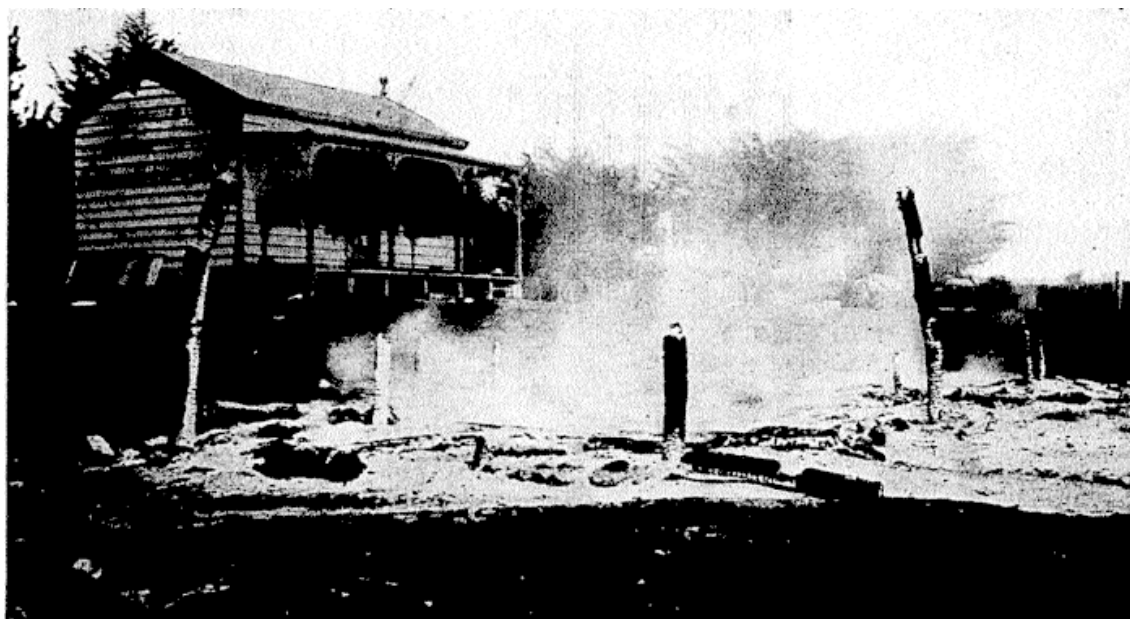
re-introduced the disease to Aotearoa during his visit to the Bay of Islands in 1913. Smallpox spread rapidly amongst Māori who had travelled from around Te Tai Tokerau to hear Shumway and then inadvertently carried this disease back to their communities.²¹ Health Department officials burnt down and disinfected some Māori homes because smallpox could be spread through droplets from the respiratory tract and houses were viewed as a site of potential transmission.²² The Health Department also appointed medical officers to inspect Māori homes, quarantine likely cases of smallpox, and vaccinate against the disease. Maori Councils and Komiti Marae (village committees) helped the Health Department during the epidemic with disinfecting households and gathering information about smallpox vaccination and mortality rates.²³ According to historian Alison Day, Pākehā often attributed the higher prevalence of smallpox amongst Māori to their housing and sanitary conditions instead of acknowledging that Pākehā had inherited immunity against this disease and appeared to be prioritised in the rollout of the smallpox vaccine.²⁴

²¹ T.H.A. Valintine, 'Report from the Chief Health Officer and Inspector-General of Hospitals', AJHR, 1914, A-01, p. 17; See also Alison Day, "'Chastising its people with scorpions': Maori and the 1913 Smallpox Epidemic', *New Zealand Journal of History*, 33, 2, 1999, p. 185; Woodward and Blakely, *The healthy country? A history of life and death in New Zealand*, p. 135

²² Alison S. Day, "'The Māori Malady': The 1913 smallpox epidemic and its nineteenth century background', MA thesis, University of Auckland, 1998, p. 11

²³ Day, "'The Māori Malady'", p. 11; T.H.A. Valintine, 'Report from the Chief Health Officer and Inspector-General of Hospitals', AJHR, A-1, 1914, p. 18

²⁴ Day, "'Chastising its people with scorpions'", p. 188; See also NZPD, Vol. 163, 1913, p. 443



STAMPING OUT SMALLPOX IN THE NORTH ISLAND: BURNING A MAORI WHARE.

The view shows a whare at Maungatautari pah, where several bad cases were located.

After the death of the natives the whare was burnt by the Health Department officials,

as depicted in the photo.

—P. E. Thackrah, photo

Figure 2.2: ‘Stamping out smallpox in the North Island: Burning a Maori whare’,
Otago Witness, 24 September 1913, p. 44

Early twentieth-century housing and sanitary conditions were also connected to the higher rates of typhoid among Māori.²⁵ Houses were sometimes inspected during and after typhoid outbreaks. These inspections focused on domestic sanitary arrangements.²⁶ Stirling stated that, by the early twentieth century, it was ‘well understood that poor water supplies and deficient sanitary systems caused typhoid’.²⁷ Similarly, Helen Robinson explained:

²⁵ Derek Dow, *Maori Health and Government Policy 1840–1940*, Wellington: Victoria University Press, 1999, p. 140; F.S. Maclean, *Challenge for Health: A History of Public Health in New Zealand*, Wellington: Government Printer, 1964, p. 192; Robinson, ‘Te taha tinana’, p. 110

²⁶ ‘Public Health and Hospitals and Charitable Aid: Report thereon by the Inspector-General of Hospitals and Charitable Institutions and Chief Health Officer’, AJHR, H-31, 1918, p. 5

²⁷ Stirling, ‘Wairarapa Maori and the Crown’, p. 288

At the start of the century it appears that many Māori settlements lacked clean water supplies and hygienic toilet facilities ... Inadequate sanitary provisions can lead to or spread gastric illnesses, particularly typhoid.²⁸

The causes of inadequate water supplies and responses to this issue for housing on Māori land are returned to later in this chapter.

In 1918 the Department of Health's district inspectors visited Māori houses where typhoid was prevalent. Following these inspections, many of the dwellings were destroyed and sanitary conditions were improved.²⁹ According to the 1918 Health Department report, typhoid statistics showed a much higher rate of the disease amongst Māori than Pākehā. The report stated that most typhoid outbreaks in 1917 had occurred in Auckland (fifteen out of seventeen), that there were 351 cases in the Auckland Province, and that a disproportionately high number of these were Māori (155). Of the 219 cases reported in Auckland's rural areas, only 66 were Pākehā and the rest were Māori.³⁰ Nevertheless, the report noted:

The work of the Inspectors and nurses ... in dealing with outbreaks of disease and supervising the sanitation amongst the Natives is bearing fruit ... In many parts the provision of proper privies has been enforced, and the supervision of water-supplies has been carried out.³¹

There was a reduction in the prevalence of typhoid in 1918 in the Auckland district, with 120 fewer cases overall than in the previous year. Dr Henry Monk, the district health officer for Auckland, linked the decrease in typhoid amongst Māori in Auckland to sanitary improvements.³²

While typhoid remained a significant health issue for Māori during the 1920s, the number of cases eventually declined. This was due to better water supplies and sanitary facilities for housing on Māori land, as well as the roll out of typhoid vaccinations. Inspections of housing conditions may have also contributed to the decline in typhoid cases because they identified sanitary or water supply problems and provided suggestions to resolve these issues. However, in 1928, Dr Edward Pōhau Ellison (Ngāi Tahu and Te Āti Awa), the Director of the Māori Hygiene Division, argued that typhoid remained the 'most serious menace to Maori health'.³³ Ellison reported in 1929 on the Maori Health Councils' (discussed later in this chapter) work to improve sanitation and to reduce typhoid. According to his

²⁸ Robinson, 'Te taha tinana', p. 110

²⁹ 'Public Health and Hospitals and Charitable Aid: Report thereon by the Inspector-General of Hospitals and Charitable Institutions and Chief Health Officer', AJHR, H-31, 1918, p. 5

³⁰ 'Public Health and Hospitals and Charitable Aid', AJHR, H-31, 1918, p. 5

³¹ 'Public Health and Hospitals and Charitable Aid', AJHR, H-31, 1918, p. 5

³² 'Public Health and Hospitals and Charitable Aid', AJHR, H-31, 1918, pp. 4-5

³³ 'Annual Report of Director-General of Health', AJHR, H-31, 1928, p. 37; See also Brian Murton, 'Te Aitanga-a-Mahaki 1860-1960: The economic and social experience of a people', 2001, (Wai 814, #A26), pp. 535-536

report, the councils had continued their work to promote a 'higher standard of sanitation' and the provision of improved water supplies in Māori communities. This was linked to a significant decrease in typhoid throughout Aotearoa in 1929, compared to 1928. He asserted that typhoid would continue to decline in prevalence as housing conditions and sanitation improved.³⁴

In common with typhoid and smallpox, the 1918 influenza epidemic was seen to be connected to inadequate housing, and also affected Māori to a greater extent than Pākehā. According to historians Geoffrey Rice and Linda Bryder, the influenza epidemic prompted the Native Affairs and Health Departments' work during the 1920s to improve the sanitary conditions of Māori homes.³⁵ Similarly, historian Angela Wanhalla (Ngāi Te Ruahikihiki, Kāi Tahu) stated that the influenza epidemic was a 'turning point' in the history of Māori health services.³⁶ The greater Māori mortality rate from the epidemic was linked to poor housing conditions, in particular higher levels of overcrowding.³⁷

In December 1918, Māori correspondent Aperatama Rupene wrote to the *Auckland Star* asserting that since the beginning of the epidemic, attention had been on improving sanitary facilities in urban houses. However, Rupene believed that it was even more important to improve sanitation in rural Māori homes whose inhabitants, he argued, were less educated about health than Pākehā. Rupene argued that enough Māori lives had been lost in the First World War, 'without extirpating the remainder with plagues that feast on insanitation'. As a reward for the sacrifice of Māori soldiers in this war, Rupene wanted the government to promote Māori health by improving household sanitation, along with providing 'medical supervision' and 'better educational facilities'.³⁸

The *Thames Star* also published an article about Māori housing and the influenza epidemic in late 1918. The unnamed author of this article argued that an important lesson from the epidemic was the need for better Māori housing. According to this writer, unhealthy Māori homes during and after the epidemic were a danger to their inhabitants and the wider population. Therefore, these 'plague spots' needed to be removed. The author maintained that the Health Department's plans to demolish unhealthy urban dwellings should be extended to include rural houses on Māori land. This was in common with Rupene's suggestions about the Health Department's housing priorities. However, these two correspondents had different motivations. The unnamed correspondent was motivated by fears about influenza spreading

³⁴ 'Annual Report of Director-General of Health', AJHR, H-31, 1929, p. 4, p. 31

³⁵ Geoffrey Rice with assistance from Linda Bryder, *Black November: The 1918 Influenza Epidemic in New Zealand*, Wellington, 1988, p. 105; Linda Bryder, "'Lessons' of the 1918 Influenza Epidemic in Auckland", *The New Zealand Journal of History*, 16, 2, 1982, p. 118, p. 121

³⁶ Wanhalla, 'Housing Un/healthy Bodies', p. 102

³⁷ Rice, *Black November*, p. 105; 'Preserving the Maori', *New Zealand Herald*, 7 December 1918, p. 11; 'The Maoris - An Appeal', *Auckland Star*, 20 December 1918, p. 6

³⁸ Aperatama Rupene, 'The Maoris - An Appeal', *Auckland Star*, 20 December 1918, p. 6

from Māori homes to the wider population, while Rupene was concerned with improving Māori health. Nevertheless, the unnamed correspondent shared Rupene's emphasis on sanitary facilities and Māori health education and wrote: 'For his own sake and for the safety of the Europeans, the Natives must be shaken out of the old ways and old dwellings, otherwise every Maori pa will continue to be a standing menace to the community'.³⁹

The 1919 Influenza Epidemic Commission outlined in its report how the risk of influenza could be reduced through improved housing, amongst other measures. Following the 1918 influenza epidemic, the Reform Government established a Royal Commission of Inquiry (in accordance with the Commissions of Inquiry Act 1908) to report on the causes and introduction of this epidemic, and how to prevent a similar occurrence in the future.⁴⁰ According to the commission's report, the avoidance of overcrowding was considered most important to control the transmission of this viral infection, which was spread through the air by 'coughing, sneezing, and even ... loud talking'. Another factor that this report cited as reducing the risk of influenza was the provision of 'well-ventilated, airy rooms' to promote health and reduce the risk of infection.⁴¹ The report briefly mentioned the importance of improving Māori homes' sanitation, but otherwise scarcely discussed Māori experiences of the epidemic and how to prevent more influenza outbreaks in Māori communities. Despite the fact that the Māori death rate was up to ten times higher than Pākehā, none of the 111 witnesses who gave evidence to the Influenza Epidemic Commission were Māori.⁴²

In common with the influenza epidemic, Māori suffered from tuberculosis at a much higher rate than Pākehā. Although Pākehā deaths from tuberculosis began to decline from 1877, this decline did not occur for Māori until around 1926.⁴³ Some historians have linked the Māori population's higher levels of tuberculosis with overcrowded, unventilated, and damp homes.⁴⁴

The 1901 Department of Public Health's annual report discussed how to reduce the incidence of tuberculosis amongst Māori by improving their housing conditions. This report linked fresh air, sunlight, and the absence of dampness to the prevention and treatment of tuberculosis. The report noted

³⁹ 'The Maori Menace', *Thames Star*, 30 November 1918, p. 2

⁴⁰ 'Report of the Influenza Epidemic Commission', AJHR, H-31a, 1919, p. 1

⁴¹ 'Report of the Influenza Epidemic Commission', pp. 4-5, p. 7

⁴² 'Report of the Influenza Epidemic Commission', p. 10; Raeburn Lange, *In an Advisory Capacity: Māori Councils, 1919-1945*, Treaty of Waitangi Research Unit, Stout Research Centre for New Zealand Studies, Wellington, 2005, p. 6; 'Public Health and Hospitals and Charitable Aid: Report thereon by the Inspector-General of Hospitals and Charitable Institutions and Chief Health Officer', AJHR, H-31, 1919, p. 30; Woodward and Blakely, *The healthy country?*, p. 135

⁴³ Deborah Dunsford, "'Seeking the Prize of Eradication": A Social History of Tuberculosis in New Zealand from World War Two to the 1970s', PhD thesis, University of Auckland, 2008, p. 4

⁴⁴ Maclean, *Challenge for Health: A History of Public Health in New Zealand*, p. 192; Binney with O'Malley, 'The Quest for Survival, 1890-1920', p. 291; Stirling, 'Wairarapa Maori and the Crown', p. 288

that this department wanted to see better Māori houses built that were ‘watertight, yet ventilated’ and with adequate sanitary provisions to reduce the risk of tuberculosis.⁴⁵

In 1929, an article in *Kai Tiaki: The Journal of the Nurses of New Zealand* similarly linked Māori housing conditions to their higher incidence of tuberculosis. This article reported that 1920s statistics showed annual rates of 32 per 10,000 for tuberculosis among Māori compared to 6.5 per 10,000 for the Pākehā population. According to the author of this article:

The economic problem has forced many [Māori] into miserably poor and unhealthy homes often overcrowded together in swampy or other unsuitable situations ... and sleeping in small unventilated rooms ... makes them fall an easy prey to the ubiquitous tubercle bacillus.⁴⁶

By the end of the 1920s, government officials were continuing to report on the adverse health impacts of inadequate housing on Māori land, despite the efforts of the Health Department and the Maori Councils (discussed later in this chapter), which had led to some health improvements particularly in reducing the typhoid case numbers. The Waitangi Tribunal’s *Napier Hospital and Health Services Report* found that medical professionals in this district in the late 1920s were concerned about how substandard housing conditions for Māori was hampering their ability to improve health and wellbeing.⁴⁷

2.4 How did the Health Department attempt to address the adverse health impacts for Māori linked to inadequate housing, and how effective were these initiatives for Māori?

Alongside its general health initiatives, the Department of Health carried out numerous schemes during the early twentieth century to specifically improve Māori health through better housing and sanitary conditions. These included visits from Māori health officers, sanitary inspectors, and district nurses to provide medical treatment and public health advice (including how to improve housing and sanitary conditions), as well as the publication and distribution of preventative health pamphlets to Māori families.⁴⁸ These pamphlets will be discussed later in this section. The Department’s reports claimed that improvements in Māori health were due to its efforts, but also acknowledged that limited funding

⁴⁵ ‘Report of the Department of Public Health’, AJHR, H-31, 1901, p. 12, pp. 14-15

⁴⁶ Miss Jamieson, ‘Tuberculosis Among the Maoris’, *Kai Tiaki: The Journal of the Nurses of New Zealand*, 1 November 1929, p. 196

⁴⁷ Waitangi Tribunal, *The Napier Hospital and Health Services Report*, p. 158

⁴⁸ Lange, *May the People Live*, pp. 150-156; Linda Bryder, “‘They do what you wish; they like you; you the good nurse!’” Colonialism and Native Health Nursing in New Zealand, 1900–1940’, in Helen Sweet and Sue Hawkins (eds), *Colonial Caring: A History of Colonial and Post-Colonial Nursing*, Manchester: Manchester University Press, 2015, pp. 84-103 for more about these nurses’ work in Māori communities.

constrained their ability to respond to previously identified health and housing needs. In 1901, this newly established government department set up a Māori section led by medical doctor and young Māori leader Dr Māui Pōmare.⁴⁹

During the early 1900s, the Health Department's native sanitary inspectors visited Māori homes around New Zealand to promote environmental health and prevent the spread of infectious disease. These sanitary inspectors were all Māori except for Elsdon Best (a Pākehā who had been carrying out ethnological research in Te Urewera since 1895). They held no formal qualifications, but attended training courses about public health, medicine, and nursing.⁵⁰ In 1908, Pōmare stated that the Māori sanitary inspectors had 'accomplished in a few short years what he thought would take at least a quarter of a century. There is no doubt the personal element has had a lot to do with their success, for they are all chiefs by birth'.⁵¹

In his role as the Department of Public Health's first Māori medical officer, Pōmare travelled widely around Aotearoa to inspect Māori communities' water supplies, sanitation, and housing (including ordering the demolition of some papakāinga), and to advise Maori Councils (which are discussed in detail later in this chapter).⁵² In 1902, Pōmare reported on his work for the Public Health Department to improve housing on Māori land. He stated that most Māori were enthusiastic about improving their housing conditions and had in numerous places cut down trees from their forests for timber to construct 'decent European cottages'. Pōmare acknowledged that poverty in some communities made improving housing on Māori land difficult. Further, he reported that insufficient government funding hindered upgrades to water supplies and drainage for Māori communities. He hoped that more money would be provided in the future for these improvements and to help realise his aspiration that 'within the near future we shall see the entire Maori population living in properly constructed, ventilated, and hygienic dwellings'.⁵³

Pōmare linked inadequate housing and lack of access to housing assistance on Māori land to adverse health impacts for Māori:

⁴⁹ Murton, 'Te Aitanga-a-Mahaki 1860–1960', p. 531

⁵⁰ Dow, *Maori Health and Government Policy 1840–1940*, pp. 126–127; Lange, *May the People Live*, pp. 206–208, p. 215. See Lange, *May the People Live*, pp. 208–215 for detailed biographical information about Māori sanitary inspectors.

⁵¹ Maui Pomare, 'Report by Dr. Pomare on sanitary conditions of the Maori', AJHR, H-31, 1909, p. 61

⁵² Graham Butterworth, 'Pōmare, Māui Wiremu Piti Naera', *Dictionary of New Zealand Biography*, first published in 1996. Te Ara - the Encyclopedia of New Zealand, <https://teara.govt.nz/en/biographies/3p30/pomare-maui-wiremu-piti-naera> (accessed 29 March 2022); Woodward and Blakely, *The healthy country? A history of life and death in New Zealand*, p. 139

⁵³ Maui Pomare, 'Report of Dr. Pomare, Health Officer to the Maoris, to the Chief Health Officer', AJHR, H-31, 1902, p. 62

The overcrowding of these chimneyless and floorless dwellings is in a very great degree responsible for the great mortality in young children, and the lung-complaints, asthma, consumption, and allied troubles of the older ones.⁵⁴

He disagreed with the contemporary idea that Māori had weaker lungs than Pākehā. Pōmare stated:

The Maori is generally looked down upon as an individual with weak lungs, but I am sure if pakehas were exposed in the same way as Maoris they would disappear just as fast, and perhaps a little faster. Put the Maori in good healthy surroundings and he will thrive.⁵⁵

He explained that funding for 'water-supplies for Maori kaingas will be money spent profitably, for I am sure it would mean the saving of fully a third of the lives which are annually sacrificed through bad water-supplies'. According to Pōmare, the government's supply of rainwater tanks (examined in more detail later in this chapter) had already saved many lives including in the Taranaki and Wairarapa districts where typhoid had been traced to the water supply.⁵⁶

Pōmare reported on Māori housing conditions in the Taupō district in 1905. He found that papakāinga at Taupō and Tokaanu were in better condition than during his last visit. In response to his earlier suggestions, six new houses had been built and numerous dwellings (which Pōmare had condemned) had been destroyed. According to Pōmare, Māori in the district 'were anxious to improve their dwellings' and would buy timber to build new houses as soon as they had enough money. He also reported on the adverse housing conditions that still persisted. At Waihaha Pā, he found 20 to 30 people living in five overcrowded huts on low-lying damp land. He encouraged them to move to a healthier and drier site near Lake Taupō. They supported this suggestion, but explained that their shift to a healthier location had to wait until they had saved up enough money to pay to ship timber from their forest to this new site.⁵⁷

In 1906, the ethnographer and sanitary inspector Elsdon Best reported to Pōmare on housing conditions in the Bay of Plenty and Te Urewera. Best stated that most Māori wanted to improve their housing conditions as soon as they could afford to do so. He described 'a good many kainga where the people have much improved their dwellings and surroundings'. Best praised Pupuaruhe near Whakatāne, 'where all the people dwell in small weatherboard cottages'. He reported:

⁵⁴ Pomare, 'Report of Dr. Pomare, Health Officer to the Maoris, to the Chief Health Officer', p. 63

⁵⁵ Pomare, 'Report of Dr. Pomare, Health Officer to the Maoris, to the Chief Health Officer', p. 65; See also Murton, 'Te Aitanga-a-Mahaki 1860–1960', p. 532

⁵⁶ Pomare, 'Report of Dr. Pomare, Health Officer to the Maoris, to the Chief Health Officer', p. 62

⁵⁷ Maui Pomare, 'Report of Dr Pomare on Native Kaingas in Taupo District', 14 December 1905, 1905/1944, R24621467, Archives NZ, Wellington

Generally speaking the water-supply is good; the worst is that of Otamauru, which is emphatically bad. These people should obtain some tanks to conserve rain-water, as they inform me that the water obtained by well-sinking is very bad.⁵⁸

According to Best, housing conditions at Ruatāhuna and Maungapōhatu were ‘about as good as can be expected when one remembers their isolation and the poverty of the people’. Best reported that he had visited 49 communities, inspected 468 houses, condemned 24 houses, and overseen the destruction of 13 houses, and the construction of 42 new houses in the last year. He called for more work to be done to improve sanitary conditions in this district.⁵⁹

Pōmare stated in 1907 that Māori on the East Coast were increasingly employed in dairy farming and that the monthly dairy cheques were funding better housing. In particular, he was happy to report that ‘the low, unventilated whares’ in Nūhaka had been replaced with ‘comfortable, floored, and well-ventilated cottages’. Further up the East Coast, other Māori communities were building new houses to replace whare raupō. According to Pōmare, hundreds of new homes had been built on Māori land since the Public Health Act was passed in 1900. Unfortunately, his report did not include nationwide statistics to show the locations and the precise number of these new homes. Pōmare hoped that the whole Māori population would soon be involved in commercial farming and thus able to afford better housing conditions.⁶⁰ His role in the Department of Public Health was disestablished in 1909 as part of the Liberal Government’s cost-cutting measures when this department’s Māori health initiatives, including sanitary inspectors, were transferred to the Native Department (until 1911 when responsibility for Māori health returned to the Health Department).⁶¹

⁵⁸ Elsdon Best, ‘Ruatoki, 20 February 1906, AJHR, H-31, 1906, p. 75

⁵⁹ Elsdon Best, ‘Ruatoki’, 20 February 1906, AJHR, H-31, 1906, p. 75

⁶⁰ Maui Pomare, ‘Reports of Dr. Pomare, Health Officer to The Maoris’, 11 June 1907, AJHR, H-31, 1907, pp. 52-53

⁶¹ Lange, *May the People Live*, pp. 182-183



Figure 2.3: 'Dr Māui Pōmare stands outside a traditionally built whare in 1901', Alexander Turnbull Library, W. A. Collis Collection, Reference: 1/1-012109-G, Photograph by W. A. Collis

During the early 1900s, Riapo Puhipi (Te Rarawa), the sanitary inspector for the Mangonui and Hokianga council districts, reported on the difficulties Māori in his area faced improving their housing conditions. Puhipi stated:

All the Maoris in my district are diligent in carrying out instructions which have been given them for the erection of better homes, but those who are poverty-stricken I have been lenient with. The great stumbling-block in the advancement of this district is the nonindividualisation of holdings. This has kept many people from building new houses. I hope you will be strenuous in agitating the settlement of this great question, because only through its solution will our people accomplish all those things which are desirable in the ways of health.⁶²

He reported that Māori were 'quite anxious to build on higher ground', but those living in poverty could not afford to relocate. Puhipi described how when he was first appointed sanitary inspector, most villages were located in damp low-lying areas with dwellings built from rushes, but houses were now built from 'sawn timber and the old rush houses are rapidly disappearing'. In his 1908 report, he stated

⁶² R.T. Puhipi, 'Sanitary Inspector Report', AJHR, H-31, 1907, p. 59

that 18 houses had been built in the last year, 34 were destroyed, and five ‘closets’ (a term used for toilets at this time) were built. Puhipi raised concerns about Te Hāpua village, which became swampy in the winter and lacked a water-supply in the summer, but noted that this community was still struggling to repay survey costs for their land so were unable to afford to improve their living conditions.⁶³

Annual reports from the Health Department detailed its work to improve Māori housing and sanitary conditions as a means of promoting health.⁶⁴ The Chief Health Officer, Dr James Mason, acknowledged in his 1902 report that Māori poverty constrained these efforts. He stated:

One serious obstacle in the way of any great sanitary reform among our Native brethren is the poverty of many. They are generally quite willing to fall in with our suggestions that they ought not sleep all together, that the house ought to have a floor that would be easily cleaned, that they ought not to drink the water from the swamp, that they should put up a tank and catch rainwater; but the invariable answer is, “Kahore te munie” [no money].⁶⁵

The Chief Health Officer’s 1918 report described how Health Department inspectors visited Māori homes and provided advice and instructions for improving sanitation, water-supplies, and housing conditions. According to this report, ‘in the parts under constant observation of Inspectors and nurses the general sanitation of the Natives has improved considerably’.⁶⁶ The Health Department’s 1925 annual report connected the ‘Europeanisation’ or assimilation of Māori homes to better Māori health:

The steady improvement in Maori village and home life is reflected in the general health ... It is becoming increasingly difficult to distinguish between Maori habitations and those of their white countrymen. For cleanliness and general sanitation the poorest Maori dwellings compare more than favourably with those in the crowded parts of our cities.⁶⁷

The Health Department’s 1928 annual report attributed improvements in housing on Māori land to the work of its district nurses and Health Department officers, health education in schools, and the efforts of Māori communities themselves. This report stated that reduced overcrowding in Māori houses and better water supplies were promoting Māori health. The report recorded that the Health Department’s

⁶³ R.T. Puhipi, ‘Sanitary Inspector Report’, AJHR, H-31, 1908, p. 135

⁶⁴ ‘Report by the Chief Health Officer’, AJHR, H-31, 1902, p. 13; ‘Public Health and Hospitals and Charitable Aid: Report thereon by the Inspector-General of Hospitals and Charitable Institutions and Chief Health Officer’, AJHR, H-31, 1918, p. 5; ‘Annual Report of Director-General of Health’, AJHR, H-31, 1921, p. 33; ‘Annual Report of Director-General of Health’, AJHR, H-31, 1925, p. 49; ‘Annual Report of Director-General of Health’, AJHR, H-31, 1928, p. 36

⁶⁵ ‘Report by the Chief Health Officer’, AJHR, H-31, 1902, p. 13

⁶⁶ ‘Public Health and Hospitals and Charitable Aid: Report thereon by the Inspector-General of Hospitals and Charitable Institutions and Chief Health Officer’, AJHR, H-31, 1918, p. 5

⁶⁷ ‘Annual Report of Director-General of Health’, AJHR, H-31, 1925, p. 49

Māori Hygiene Division had provided subsidies and supplies for the following Māori communities: Waimihia (Waikato), Ōrākei (Auckland), Oruanui (Taupō), Te Kao (North Auckland), Wairoa, Tauranga, Bethlehem (near Tauranga), and Whangara (East Coast). According to this report, sanitary conditions were also progressively improving in Māori communities, with latrines now installed in most villages.⁶⁸ The report did not, however, include a national breakdown of these sanitary improvements.

During the 1920s, the Health Department published pamphlets advising Māori how to prevent tuberculosis, typhoid, and influenza (which included housing suggestions), and these were widely distributed.⁶⁹ District nurses left Te Rangi Hīroa's tuberculosis pamphlet, *Mate kōhi: Ngā huarahi hei ārai i tāua mate* (1920) with tuberculosis patients and their families.⁷⁰ In this pamphlet, Te Rangi Hīroa noted that tuberculosis germs would not survive long in sunny houses with a breeze through open windows. However, he warned that tuberculosis would thrive in cold and dark dwellings with no circulating air from outside.⁷¹

Public health education, including pamphlets and visits from sanitary inspectors, was inadequate to combat the spread of infectious diseases amongst Māori. Government officials acknowledged that Māori were usually willing to follow advice to improve their housing and sanitary conditions, but poverty often constrained their ability to implement these suggestions. As discussed earlier in this report, land loss had forced many Māori to move away from areas where they had grown or gathered nutritious food and harvested building materials, and left them with less land for housebuilding. Furthermore, government funding for Māori housing and healthcare was very limited despite Māori being affected to a greater extent by smallpox, typhoid, influenza, and tuberculosis than Pākehā who had inherited immunity to these infectious diseases.

2.5 How did the Crown respond to requests for assistance to address pre-identified housing infrastructure needs on Māori land?

During this period, many Māori communities lacked satisfactory water-supplies and were dependent on shallow wells or streams. Both of these water sources could easily be contaminated by surface drainage from these communities and streams could also be polluted by sewage or industrial waste. During the

⁶⁸ 'Annual Report of Director-General of Health', AJHR, H-31, 1928, p. 36

⁶⁹ 'Annual Report of Director-General of Health', AJHR, H-31, 1921, p. 33; Te Rangihīroa, *Mate kōhi: (Consumption) Ngā huarahi hei ārai i tāua mate*, Wellington: Government Printer, 1920; *Taipo piwa (Enteric Fever) nga take i toro ai, me etahi raweke e kore ai e toro*, Wellington: Government Printer, 1929; *Mate rewharewha (Influenza): Nga huarahi whakaora, arai atu ranei i tenei mate*, Wellington: Government Printer, 1929

⁷⁰ 'Annual Report of Director-General of Department of Health', AJHR, H-31, 1921, p. 15

⁷¹ Te Rangi Hīroa, *Mate kōhi (Consumption)*, p. 4

early twentieth century, the Crown provided some funding for water supplies and sanitary systems for houses on Māori land.⁷²

The Liberal MP for Ōtaki, William Field, asked the Native Minister James Carroll (Ngāti Kahungunu) in 1901 if the government would provide rainwater tanks for a papakāinga at Porirua. Field explained that Māori were living there in poverty on their small amount of remaining land. Their only water supply was a contaminated stream and there was a high mortality rate (especially amongst the children) due to drinking this water. Field stated that they have ‘very fair weatherboard houses, and if they were supplied with tanks they would have a supply of rainwater for consumption all the year round’. Carroll responded that he would make some inquiries into the matter and would provide financial assistance if they were found to be unable to pay for their own rainwater tanks.⁷³ Whether this community received funding for these tanks is not clear in the sources assessed for this report.

In 1905, Wiremu Pōtae, from Tokomaru on the East Coast, wrote to Pōmare to request funding towards the cost of seven rainwater tanks for his community. Pōmare had suggested the use of rainwater tanks during his visit to Tokomaru because their shallow wells risked becoming contaminated. Initially, this community requested that the government fund the full cost of the tanks, but Pōmare suggested that they should ‘collect half the price of the tanks’ before he would recommend that the government consider their petition.⁷⁴ This suggestion was in line with the government’s subsidies for water supplies or drainage schemes for other Māori communities. However, on this occasion, the government did not provide a subsidy for rainwater tanks.⁷⁵

In 1912, Claude Williams, a member of the Gisborne County Council, wrote to the Native Affairs Minister raising concerns about the unhealthy conditions at Muriwai Pā near Gisborne and calling for government support for water supplies for this community. He stated that in the last two years there had been numerous deaths and hospitalisations due to typhoid in this area. Williams noted that the local health officer had visited the Muriwai Pā and reported the matter to Health Department officials in Wellington and made a case for the provision of improved water supplies. According to Williams, Māori at Muriwai Pā were ‘drinking water from shallow wells which in summer becomes the most deadly

⁷² Lange, *May the People Live*, p. 23; See also ‘Local News’, *Auckland Star*, 9 May 1903, p. 6; Maui Pomare, ‘Report of Dr. Pomare, Health Officer to the Maoris, to the Chief Health Officer’, AJHR, H-31, 1902, p. 65

⁷³ NZPD, Vol. 112, 1900, p. 244; Field had a complicated history in his dealings with local Māori in Horowhenua see Barry Rigby and Kesaia Walker, ‘Te Ātiawa/Ngāti Awa ki Kapiti: Twentieth Century Land and Local Issues Report’, 2018, (Wai 2200, #A214), p. 154, p. 189, pp. 261-263, pp. 270-271, p. 274, pp. 278-282, pp. 284-285, pp. 289-291, p. 297

⁷⁴ Maui Pomare, ‘Memorandum for Mr Waldegrave, Justice Department’, 6 November 1905, ‘From Dr Pomare, Wellington, Date: 8 November 1905 Subject: Regarding supplying water tanks to Natives at Tokomaru’, R24621343, Archives NZ, Wellington

⁷⁵ Lange, *May the People Live*, p. 154

poison while owing to their severely impecunious circumstances they are unable to help themselves in the matter'. He suggested that the government should send an official 'with the power to effect remedies' to carry out a 'careful inspection'. Williams wrote that if action was not taken to improve the water supply and sanitary conditions of Muriwai Pā then there would continue to be 'our usual appalling death tally'.⁷⁶

A 1913 report on Māori sanitary conditions stated that Māori living at Muriwai Pā were initially encouraged to shift to a healthier location, but this proposition was unfeasible, so efforts shifted to providing a clean water supply to replace contaminated shallow wells. This report did not state why this was unfeasible, but a letter from Rangi Tuanui Tamihana and fifteen others living in this community to Dr Māui Pōmare stated that they opposed the suggestion to move another part of their land because some of them had recently built new houses and because they needed to remain on their current land in order to be able grow food for themselves and their animals.⁷⁷ The Health Department report noted that Williams had paid for a bore to be sunk at Muriwai Pā in response to a typhoid outbreak, but this bore was unsuccessful, so rainwater tanks were provided to ensure clean water for this community to prevent further typhoid cases.⁷⁸

During the 1920s, some other Māori communities requested government funding for water and sanitary facilities. In 1922, the Director of the Health Department's Māori Hygiene Division, Te Rangi Hīroa, wrote to the Native Department asking for a subsidy to match the money raised by Māori living in Maketū in the Bay of Plenty. Te Rangi Hīroa had visited Maketū and argued that there was an urgent need for a piped water supply for this village.⁷⁹ In 1928, Ellison similarly requested a subsidy for £57 5s 8d to match the money raised by Te Kuiti Māori to pay for four flush toilets to be installed and a wastewater drainage system at their papakāinga to connect with the Te Kuiti Borough Council's sewerage system. Ellison argued that this work should be carried out in 'the interests of health', but also 'to overcome strong criticisms that are levelled against the existing conditions' because this papakāinga

⁷⁶ Claude Williams, 'Letter to Minister of Native Affairs', 20 April 1912, 'Received 21 May 1912 from Claud Williams – Subject Muriwai Pa Complain as to sanitary condition and mode of living by Maoris', R22404298, Archives NZ, Wellington

⁷⁷ 'Sanitary Conditions of the Maoris', AJHR, H-31, 1913, p. 66; Rangi Tuanui Tamihana and 15 others, 'Letter to Hon. Dr Pomare', 28 April 1913, 'Received 21 May 1912 from Claud Williams – Subject Muriwai Pa Complain as to sanitary condition and mode of living by Maoris', R22404298, Archives NZ, Wellington

⁷⁸ 'Sanitary Conditions of the Maoris', AJHR, H-31, 1913, p. 66; Claude Williams, 'Letter to Minister of Native Affairs', 20 April 1912, 'Received 21 May 1912 from Claud Williams – Subject Muriwai Pa Complain as to sanitary condition and mode of living by Maoris', R22404298, Archives NZ, Wellington

⁷⁹ Te Rangihīroa, 'Letter to Under Secretary, Native Department', 22 March 1922, 'Received: 27th March 1922 – From Dr. Buck, Director of Maori Hygiene, Auckland – Subject: For subsidy of £1 for £1 toward water supply for village of Maketu', R22408134, Archives NZ, Wellington

was located within the township of Te Kuiti.⁸⁰ During the same year, Ellison wrote to the Native Department to recommend that it provide funding for a water supply at Ōpoutama Pā on the East Coast. His recommendation was in response to an application from Māori in this community who had raised half the costs of a piped water supply, but were unable to fully fund it themselves.⁸¹ Ellison forwarded a copy of a memorandum from the local health inspector who argued that if assistance was not provided to this community to construct a piped water supply then it risked further typhoid cases within this community and the nearby city of Gisborne, which had already had one typhoid case traced back to Ōpoutama.⁸²

In Auckland, Ngāti Whātua Ōrākei successfully applied to the Native Affairs Department in 1928 to help cover the costs of joining their community to the Auckland City Council's water supply. A clean water supply would help improve health in their papakāinga and reduce the risk of typhoid.⁸³ During the 1920s, this Māori community was under pressure to relocate and looked to the Crown for assistance to improve their housing conditions and infrastructure. Wiremu Ngapipi Reweti, the chair of the Orakei Native Committee, petitioned the Reform Prime Minister William Massey to allow Ngāti Whātua to remain on their land and improve their housing and sanitary conditions. Reweti was concerned that Massey and his government would compulsorily acquire their last remaining land in Auckland for a new housing development for Pākehā.⁸⁴ This community's efforts to improve their housing conditions and remain living on their ancestral land will be returned to later in this report.

⁸⁰ Edward Pohau Ellison, 'Memorandum for the Under Secretary, Native Department', 13 June 1928, 'Received: 14th June 1928 - From: Director of Maori Hygiene, Wellington - Subject: Application for a Subsidy towards the cost of drainage connections in the Te Kuiti Pa', R22410525, Archives NZ, Wellington

⁸¹ Edward Pohau Ellison, 'Memorandum for the Under Secretary, Native Department', 11 December 1928, Wellington, 'Received 11 December 1928 - From Director of Maori Hygiene, Wellington - Subject: As to granting a subsidy towards the costs of Water Supply for Opoutama Pa, East Coast', R22411411, Archives NZ, Wellington

⁸² Edward Pohau Ellison, 'Memorandum for the Under Secretary, Native Department', 6 February 1929, 'Received 11 December 1928 - From Director of Maori Hygiene, Wellington - Subject: As to granting a subsidy towards the costs of Water Supply for Opoutama Pa, East Coast', R22411411, Archives NZ, Wellington

⁸³ 'Proposed Water Supply for the Orakei Native Settlement', 23 April 1928, 'Received: 24th April 1928 - From: Director of Maori Hygiene, Wellington - Subject: Proposed Water Supply for the Orakei Native Settlement as to granting a £1 to £1 subsidy', 1928 - 1928, R22410482, Archives NZ, Wellington

⁸⁴ Wiremu Ngapipi Reweti, 'Petition to the Right Hon. W.F. Massey P.C. from the Orakei Native Committee', 10 September 1924, p. 3, Copy of Petition from the Orakei Native Committee about the Orakei Native Reserve, 1924, R12726795, Archives NZ, Wellington

2.6 What barriers, if any, did Māori encounter when trying to access government housing programmes and lending assistance for housing, and how did housing assistance available for Māori land compare to assistance programmes available for general land?

Most Māori still lived in rural areas at this time which meant that only a very small number of Māori would have been among the urban workers who received the limited government housing assistance available during the early twentieth century. Even if urban Māori could afford the repayments for government housing loans or the relatively high rents for workers' dwellings, their ownership of Māori land in rural areas (even if it was nominal) made them ineligible for the limited government housing assistance. Some historians have argued that the idea that Māori would benefit from an improved housing stock was highly unlikely due to ongoing racial prejudice in the mainstream housing market.⁸⁵

The Liberal Government's Workers' Dwellings Act 1905 enabled the construction of state rental houses for urban workers. Under Section 7 of this Act, applicants needed to satisfy the Land Board that they were not jointly or individually the owner of 'any land in this New Zealand'. This effectively excluded Māori who still owned land in rural areas even if it was a nominal amount of land or multiply owned. The focus on urban dwellings also excluded most Māori who still predominantly lived in rural areas.⁸⁶ During parliamentary debates in 1905, Hōne Heke Ngāpua (Ngāpuhi), criticised the government for its provision of homes for urban Pākehā workers through the Workers' Dwellings Act while failing to provide similar housing assistance for Māori. During parliamentary debates about this legislation, Ngāpua stated:

I protest against the action of the Government in giving this consideration to the workers of the colony, and not considering the question of the landless Natives of the colony and making provision for them ... who became landless by the legislation specially designed and carried out by Parliament. For this reason I protest against the Bill.⁸⁷

Ngāpua's protest appears to have been ignored as new housing legislation was passed the following year, which similarly did not give special consideration to Māori. The Government Advances to Workers Act 1906 made housing loans available for urban workers who did not own land elsewhere,

⁸⁵ Ferguson, *Building the New Zealand Dream*, pp. 97-99; See also Aroha Harris, 'Persistence and Resilience, 1920-1945', in Atholl Anderson, Judith Binney, and Aroha Harris (eds), *Tangata Whenua: A History*, Wellington: Bridget Williams Books, 2015, p. 311; Ben Schrader, *We call it home: A history of state housing in New Zealand*, Auckland: Reed Books, 2005, p. 25

⁸⁶ Workers' Dwellings Act 1905 (5 EDW VII 1905 No 42), p. 440

⁸⁷ NZPD, Vol. 125, 1905, p. 763; In 1905, Hōne Heke Ngāpua was the MP for Northern Māori and a former leader of the Kotahitanga movement.

which excluded most Māori from this scheme as the majority of Māori still lived in rural areas or owned rural land even if it was a very small amount. The provisions of the Government Advances to Workers Act 1906 specified that applicants could not be the ‘owner of any land other than the section on which he proposes to build’, which had to be ‘urban or suburban land’.⁸⁸ This legislation was an extension of the housing assistance provided under provisions of the Advances to Settlers Act 1894.⁸⁹ The Advances to Workers legislation had more favourable terms than the Workers’ Dwellings Act and urban workers were quick to take advantage of government loans to build their own homes. By 1910, more than one thousand housing loans had been provided to urban workers under the 1906 Act and the New Zealand State-guaranteed Advances Act 1909 (which replaced the Government Advances to Workers Act and the Advances to Settlers Act).⁹⁰

The State Advances Act 1913 (which repealed and replaced the New Zealand State-guaranteed Advances Act) established the State Advances Office and provided government housing loans through its Advances to Settlers and Advances to Workers branches at an interest rate of up to five per cent per annum.⁹¹ In the late 1920s, the Crown was providing mortgages for nearly half of all new houses in Aotearoa through its State Advances scheme. By 1929, approximately £16 million had been provided in government housing loans to nearly 21,000 families throughout the country.⁹² However, by March 1929, only 53 Māori had been able to secure State Advances loans. Historian Terry Hearn calculated that these loans to Māori amounted to £15,677 at a time when ‘a total of 25,268 loans with an aggregate value of £16.462 million had been made’. Based on Hearn’s figures, this means that Māori received less than one per cent of funding from these government housing loans and 0.2 per cent of State Advances were provided to Māori.⁹³ According to the 1930 *New Zealand Official Yearbook*, the Māori population of New Zealand was 65,963 out of a total population of 1,170,654. This meant that Māori were 5.63 per cent of the population at this time.⁹⁴

⁸⁸ Government Advances to Workers Act 1906 (6 EDW VII 1906 No 39), p. 110

⁸⁹ Government Advances to Workers Act 1906 (6 EDW VII 1906 No 39), pp. 110-113; Ferguson, *Building the New Zealand Dream*, p. 59

⁹⁰ Schrader, *We call it home*, pp. 28-29; New Zealand State-guaranteed Advances Act 1909 (9 EDW VII 1909 No 31), p. 349

⁹¹ State Advances Act 1913 (4 GEO V 1913 No 34), p. 209, p. 213, p. 231

⁹² Ferguson, *Building the New Zealand Dream*, pp. 63-64; Schrader, *We call it home*, pp. 30-31; Christoffel, ‘Education, Health and Housing in the Taihape Inquiry District, 1880–2013’, p. 263

⁹³ Hearn, ‘The social and economic experience of Porirua ki Manawatu Māori’, p. 310

⁹⁴ *New Zealand Official Yearbook*, 1930,
https://www3.stats.govt.nz/New_Zealand_Official_Yearbooks/1930/NZOYB_1930.html#idsect1_1_18629
 (accessed 27 February 2023)

The State Advances scheme did not explicitly exclude Māori, but its lending criteria meant that most Māori were ineligible to participate in this scheme.⁹⁵ As noted by Gael Ferguson, in common with lending institutions, successive governments failed ‘to adapt their lending systems to recognise Maori understanding of land occupation and use rights’.⁹⁶ The State Advances Office reflected this failure and was reluctant to provide mortgages for land under Māori titles. State Advances loans were only available to those Māori landowners whose land was partitioned and had an individualised certificate of title.⁹⁷ Native Land Court processes since the 1860s had created problems with land titles, which also made it difficult for Māori to access the State Advances scheme. According to Bruce Stirling:

Those very few Maori individuals who owned an economically viable property under a full title (a certificate of title, as opposed to an undivided or undefined Native Land Court title) were, in theory, eligible for a loan from the Government Advances to Settlers Office, but they were such a tiny minority that the property qualification and other lending criteria operated to exclude Maori from this valuable source of finance.⁹⁸

Some historians have suggested that the threat of losing their remaining land if they were unable to continue their repayments may have deterred some Māori from accessing these housing loans even if they were more accessible.⁹⁹

The soldiers’ settlement scheme was another source of government housing assistance during the late 1910s and early 1920s, but the lack of data on housing assistance for Māori returned servicemen makes it difficult to ascertain how many were able to access housing loans under this scheme.¹⁰⁰ The Discharged Soldiers’ Settlement Act 1915 and the Discharged Soldiers’ Settlement Amendment Act 1917 did not explicitly exclude returned Māori servicemen from applying for financial assistance for the construction or purchase of a house.¹⁰¹ By the end of March 1926, the soldier settlement scheme had provided 16,811 housing loans (4,856 for new houses in rural areas, 4,420 for new houses in urban or

⁹⁵ Paul Christoffel, ‘Historical Māori Housing 1840–1934’, 2022, (Wai 2750, #A9), p. 193

⁹⁶ Ferguson, *Building the New Zealand Dream*, p. 98

⁹⁷ Ferguson, *Building the New Zealand Dream*, p. 98

⁹⁸ Stirling, ‘Wairarapa Maori’, p. 283

⁹⁹ Robinson, ‘Te taha tinana’, p. 102; See also Penny Isaac and Erik Olssen, ‘The Justification for Labour’s Housing Scheme: The Discourse of the “Slum”’, in Barbara Brookes (ed.), *At Home in New Zealand: History, Houses, People*, Wellington: Bridget Williams Books, 2000, pp. 107-24; Deidre Brown, ‘Tūrangawaewae Kore: Nowhere to Stand’, in Evelyn J. Peters and Julia Christensen (eds), *Indigenous Homelessness: Perspectives from Canada, Australia, and New Zealand*, Winnipeg: University of Manitoba Press, 2016, p. 346

¹⁰⁰ Terry Hearn, ‘The economic rehabilitation of Maori military veterans’, 2018, (Wai 2500, #A248), p. 88, pp. 230-232; Ashley Gould, ‘Proof of gratitude? Soldier Land Settlement in New Zealand After World War I’, PhD thesis, Massey University, 1992, pp. 310-311

¹⁰¹ Discharged Soldiers Settlement Act 1915 (6 GEO V 1915 No 45), pp. 307-311; Discharged Soldiers Settlement Amendment Act 1917 (8 GEO V 1917 No 17), pp. 85-87

suburban areas, and 7,535 to buy existing houses in towns and cities) since its inception.¹⁰² According to historian Ashley Gould, out of the around 1,800 Māori servicemen who returned from overseas service in the First World War, ‘thirty have been traced as acquiring farms under the various settlement schemes’ and twenty returned servicemen (who had Māori names) received ‘assistance to settle Crown land’. Gould acknowledged that there may have been more Māori returned servicemen with European names who received help under the scheme.¹⁰³ The soldiers’ settlement scheme’s loans became the responsibility of the State Advances Office in the early 1920s when applications to the scheme closed.¹⁰⁴

During parliamentary debates about the State Advances Amendment Act 1923, Sir Āpirana Ngata, MP for Eastern Māori, asked the government to provide financial assistance to the Native Trust Office. Ngata argued that if the government did not provide this assistance, then he could justly ask: ‘What has the Government done for the Maoris?’¹⁰⁵ The Minister of Native Affairs, Gordon Coates, responded that Cabinet

was considering the opening of the State Advances Department to Maoris where they had a title to assist and encourage them in the farming of their own land. It was also considering giving them the opportunity of borrowing for both housing and farming purposes under the Act just passed.¹⁰⁶

Coates evidently recognised the difficulties that native land legislation and the Crown’s lending policies created for Māori wishing to obtain access to government loans.¹⁰⁷

The small state housing estates built in urban areas during the 1900s were too few and too expensive for most of those in need of better housing conditions and were not targeted to Māori housing needs. Outside of these schemes, government housing policy consisted almost entirely of providing housing loans and these loans were not accessible for most Māori. The State Advances Office provided affordable loans to Pākehā landowners, but did not usually lend to Māori.¹⁰⁸ It is unclear whether this was an explicit policy or an unintended consequence of the eligibility criteria of this government housing loans scheme.

¹⁰² ‘Discharged Soldiers Settlement Report’, AJHR, C-9, 1926, p. 9

¹⁰³ Gould, ‘Proof of gratitude?’, p. 311

¹⁰⁴ Hearn, ‘The economic rehabilitation of Maori military veterans’, p. 57

¹⁰⁵ ‘State advances’, *Stratford Evening Post*, 10 July 1923, p. 3

¹⁰⁶ ‘Aiding Maori farmers’, *New Zealand Herald*, 27 July 1923, p. 10

¹⁰⁷ Hearn, ‘The social and economic experience of Porirua ki Manawatu Māori’, p. 58; See also ‘Aiding Maori farmers’, *New Zealand Herald*, 27 July 1923, p. 10

¹⁰⁸ Robinson, ‘Te taha tinana’, p. 102; See also Isaac and Olssen, ‘The Justification for Labour’s Housing Scheme: The Discourse of the “Slum”’, pp. 107-24

2.7 What kinds of targeted legislative and policy responses did the Crown make to address identified housing needs on Māori land, and how effective were such targeted programmes for Māori?

During the early twentieth century, the Crown made some limited targeted legislative and policy responses to address identified housing needs on Māori land. The Maori Land Settlement Act 1905 included a provision which enabled the Minister of Lands to provide mortgages of up to one-third of the value of land owned by Māori, but this was intended for the purposes of ‘stocking, improving, or farming the land’, and not for housing. During parliamentary debates about this legislation, Carroll stated that the Maori Land Settlement Act 1905 was an alternative to the Advances to Settlers legislation which had provided mortgages for Pākehā farmers since the late nineteenth century. He argued that Māori

have never appreciated the advantage of the Advances to Settlers Acts in its application to themselves, or have never exercised their rights under it on account of difficulties in the way. They have never enjoyed the same facilities as Europeans for borrowing from the Government lending institutions, consequently they have never been able to occupy, utilise, or farm their lands on extensive scale. We propose to remove, or at any rate minimise, these handicaps under which they labour by providing for the Government to lend them money; but on the distinct understanding that it is for the improvement of their land, or stocking, farming, and so forth.¹⁰⁹

The Native Land Act 1909 repealed the Maori Land Settlement Act 1905. Although the Native Land Act included provisions to enable Māori landowners to borrow from the Crown (including from the State Advances Office), it remained difficult for Māori to obtain loans from government agencies.¹¹⁰ According to Hearn, the main difficulty was that the State Advances Offices ‘could not accept Native freehold land as security’ and Māori ‘would have encountered considerable resistance to efforts to borrow from that agency’.¹¹¹ This was despite a very clear need expressed in official reports for Crown support for housing on Māori land and land development at a time when banks and other financial institutions would not lend to Māori.¹¹²

Crown officials widely held the view that Māori should use money from land sales, leases, or rents to improve their housing or develop their land instead of accessing government loans. In 1915, Native Minister William Herries announced his plan to create a Native Trustee Office, which would be

¹⁰⁹ James Carroll, NZPD, Vol. 135, 1905, p. 705

¹¹⁰ Hearn, ‘The social and economic experience of Porirua ki Manawatu Māori’, pp. 55-57; Native Land Act 1909, (9 EDW VII 1909, No. 15), p. 211

¹¹¹ Hearn, ‘The social and economic experience of Porirua ki Manawatu Māori’, p. 57

¹¹² Woodward and Blakely, *The healthy country?*, p. 132; See also Robinson, ‘Te taha tinana’, p. 102

empowered to lend money accrued by Māori land boards to Māori landowners or tenants on Māori land who were unable to access government loans.¹¹³ In 1920, the Reform Government passed the Native Trustee Act. From 1923 onwards, the Native Trustee could provide advances (from income generated by the Māori Land Board and Māori reserves) to Māori landowners to develop their land or build new houses. The Native Trustee Act also enabled Pākehā who leased Māori land to receive loans from this fund. Ngata objected to Pākehā being able to access mortgages through the Native Trustee. He also called for the Crown to supplement the Native Trustee's funds so that it could provide more loans to Māori landowners.¹¹⁴ The Crown supplemented the Native Trustee's funds through grants of £42,000 in 1926 and a further £100,000 under the Finance Act 1930. However, by 1932, the Native Trustee had almost no funds remaining and could not repay those grants.¹¹⁵

During the 1920s, the Coates Government considered a more direct form of financial support to address identified housing needs at Whakarewarewa and Ōhinemutu in the popular tourist area of Rotorua.¹¹⁶ In 1926, the Government established a commission of inquiry to inquire into and report on 'the necessity or advisability' of building new 'model villages' (including the construction of new houses and housing-related infrastructure) on the sites of these two Māori communities, or to carry out renovations at these existing villages.¹¹⁷ According to the commission's report these proposed 'model Maori villages ... would combine the distinctive characteristics of Maori art and architecture with the requirements of modern convenience, public health, and hygiene'.¹¹⁸ The report stated that there was overcrowding in houses in both villages and recommended that the government help Māori to construct new houses:

In one building [at Whakarewarewa], 20 ft. by 22 ft., of four rooms, inspected by the Commission [of Inquiry], fourteen persons were living ... In another, nine persons were found in a three-roomed cottage; and in yet another ten persons were living in two rooms. This is a state of affairs that should be remedied at the earliest possible moment ... the position can be to some extent alleviated by assisting these people to build new homes.¹¹⁹

The commission's report quoted members of the local iwi Ngāti Whakaue and Tūhourangi who had asked for interest-free government housing loans with repayments over a period of thirty to thirty-six

¹¹³ NZPD, 1915, Vol. 174, pp. 621-623; See also Hearn, 'The social and economic experience of Porirua ki Manawatu Māori', p. 59, p. 70

¹¹⁴ NZPD, Vol. 187, 1920, pp. 965-972; NZPD, Vol. 211, 1926, p. 291; See also Hearn, 'The social and economic experience of Porirua ki Manawatu Māori', p. 59, p. 70; Ferguson, *Building the New Zealand Dream*, p. 99

¹¹⁵ Hearn, 'The social and economic experience of Porirua ki Manawatu Māori', p. 71

¹¹⁶ 'Maori Model Villages', AJHR, G-7, 1926, pp. 1-31

¹¹⁷ 'Maori Model Villages', p. 1

¹¹⁸ 'Maori Model Villages', p. 2

¹¹⁹ 'Maori Model Villages', p. 8

years to build new houses or renovate existing dwellings.¹²⁰ However, despite the commission's recommendation that plans for new dwellings should be prepared, no new houses were constructed at these villages during the 1920s, but the government did advance £500 to pay for infrastructure upgrades for these papakāinga. It was not until 1936 that new houses began to be built at these two Māori communities. According to Stirling, the Crown's interest in rebuilding these communities was prompted more by a desire to promote tourism than concerns about improving housing on Māori land.¹²¹

Other Māori sought government loans to improve their housing conditions in the 1920s. In 1928, an unnamed group of Māori rangatira presented a petition to Prime Minister Joseph Ward during his visit to Gisborne asking for direct financial assistance for housing and land development. According to an article in the *Auckland Star*, this petition stated

if the settlement by the Maoris of their lands is to succeed adequate finance will have to be immediately provided ... We have been informed that the funds under the control of the Native Trustee and Maori Land Boards for lending to Maori farmers on the security of their lands are almost exhausted. These funds were entirely provided from Maori sources, but have not been supplemented in any way by the State.¹²²

The article reported that the petitioners argued that the State Advances scheme was not suitable for Māori, which was why they sought government assistance to be made available through the Native Trust Office and the Land Boards. Ward responded that he had recently introduced a policy to Parliament that would provide Māori landowners with the ability to obtain loans from the State Advances Office on the same terms as Pākehā. He stated, 'it was not easy to give effect to the natives' requirements owing to the difficulties in raising large sums of money in the Dominion'.¹²³

In 1929, Ngata (Minister of Native Affairs at this time) also criticised the State Advances scheme for failing to address Māori needs. He noted that the Native Trust Office had administered financial support, but explained that this was not a government response because accumulated Māori funds, not the Crown, provided the money for these loans. As part of his criticism of the State Advances Office, Ngata stated: 'Theoretically, the Maoris had all the rights of the pakeha in respect to State advances: practically

¹²⁰ 'Maori Model Villages', p. 21

¹²¹ Stirling, 'Wairarapa Maori and the Crown', p. 294; See also Ferguson, *Building the New Zealand Dream*, p. 101; 'Maori Model Villages', p. 9

¹²² 'Maori farming: Financial aid asked', *Auckland Star*, 4 March 1929, p. 19 The original petition was not found; See also Hearn, 'The social and economic experience of Porirua ki Manawatu Māori', p. 59

¹²³ 'Maori farming: Financial aid asked', *Auckland Star*, 4 March 1929, p. 19; See also Hearn, 'The social and economic experience of Porirua ki Manawatu Māori', p. 59

they had none'. He explained that applications by Māori to the State Advances Office were usually referred to Native Trust Office and called for the Crown to provide more funding to Māori.¹²⁴

In response to the limitations of the State Advances scheme, discussed above, Ngata created the native land development schemes, which provided Māori with lending assistance for land development and house construction. These schemes encouraged Māori to remain on their ancestral land, or to return to it, by making farming more profitable. They also included provision for building rural homes to improve Māori living conditions. These schemes were enabled by the Native Land Amendment and Native Claims Adjustment Act 1929. This legislation enabled the Minister of Native Affairs to loan money to 'facilitate settlement and development of land owned by Natives'.¹²⁵ Ngata served as the Minister of Native Affairs for the United and United-Reform coalition governments and was instrumental in designing and administering these schemes until his resignation in 1934.¹²⁶ According to historian Bronwyn Dalley, the Native Trustee from 1920 onwards and Ngata's land development schemes from 1929 onwards provided 'separate and minimal provision for Maori housing that would continue to provide the basis for policy in the next decades'.¹²⁷

2.8 How did the Young Māori Party seek to address Māori housing needs?

Founded in 1897, the Young Māori Party, was a movement of young Māori who promoted Māori welfare and health with the support of the wider Māori population. This organisation's efforts to improve Māori health included promoting better housing conditions on Māori land and land development. Its founding members included Pōmare, Te Rangi Hīroa, Carroll, and Ngata who were all former pupils of Te Aute College. The organisation published numerous articles in the Māori-language newspaper, *Te Pīpīwharauroa*.¹²⁸ The Young Māori Party's programme to prevent disease and improve sanitation was in accordance with the aims of the Department of Public Health.¹²⁹

One of the members of the Young Māori Party, Rēwiti Kōhere (Ngāti Porou), an Anglican minister and journalist, formulated a vision for a 'model village' as a way to help Māori 'cope with a situation of

¹²⁴ 'Native settlers: No advances by Government,' *Otago Daily Times*, 19 July 1929, p. 1; See also Hearn, 'The social and economic experience of Porirua ki Manawatu Māori', p. 59

¹²⁵ Native Land Amendment and Native Land Claims Adjustment Act 1929 (20 GEO V 1929 No 19), p. 87; See also Walker, *He Tipua: The Life and Times of Sir Āpirana Ngata*, pp. 234-235; Armitage, 'Māori Housing in New Zealand', p. 18; Ferguson, *Building the New Zealand Dream*, p. 100

¹²⁶ Wanhalla, 'Housing Un/healthy Bodies', p. 103

¹²⁷ Bronwyn Dalley, *Scoping study for a history of government housing policy for Maori 1900-2000*, Wellington: Historical Branch, Department of Internal Affairs, June 2000, p. 12

¹²⁸ Binney with O'Malley, 'The Quest for Survival, 1890-1920', p. 285; See also Durie, *Whaiora: Māori Health Department*, p. 39; Woodward and Blakely, *The healthy country? A history of life and death in New Zealand*, p. 139

¹²⁹ Waitangi Tribunal, *Wairarapa ki Tararua Report*, Vol. 1, p. 343

poverty and alienation' while living on their ancestral land. His suggested 'model village' was intended as a temporary solution to help Māori in this difficult situation and as part of their transition toward 'a more modern, individualized style of life, based on the nuclear family, while still retaining a tribal identity'. In common with other late nineteenth and early twentieth century health reformers, Kōhere argued that new papakāinga should be constructed on hilltops, not on low-lying land. Kōhere suggested that this ideal village should include a komiti who would ensure adequate drainage and sanitation. He proposed that houses in this papakāinga be built from split palings, which he considered to be 'a great improvement on thatched whares', and divided into rooms with chimneys.¹³⁰ In his autobiography, Kōhere described the construction of his own weatherboard house on whānau land on the East Coast in the early twentieth century (see Figure 2.5 below). This house had an inside bathroom with a porcelain bath and hot water service. Kōhere recalled in this book that he had read a paper about 'A Model Pa' at an early Young Māori Party conference.¹³¹

¹³⁰ Lachy Paterson, 'Rēweti Kōhere's Model Village', *New Zealand Journal of History*, 41, 1, 2007, p. 32; Rewiti T. Kōhere, *The Autobiography of a Maori*, Wellington: Reed Publishing, 1951, p. 105

¹³¹ Kōhere, *The Autobiography of a Maori*, pp. 105-106



Figure 2.4: ‘Clockwise from top left are four key figures: James Carroll (Ngāti Kahungunu), Āpirana Ngata (Ngāti Porou), Māui Pōmare (Ngāti Mutunga, Ngāti Toa) and Te Rangi Hīroa, (Ngāti Mutunga)’, Ann Sullivan, ‘Tōrangapū – Māori and political parties - Creating a Māori electoral system’, *Te Ara - the Encyclopedia of New Zealand*, <http://www.TeAra.govt.nz/en/photograph/36735/the-young-maori-party> (accessed 29 March 2022)



Figure 2.5: Rangiatā, East Cape, home of Rēwiti Kōhere,
Rewiti T. Kōhere, *The Autobiography of a Maori*, Wellington: Reed Publishing, 1951

In Easter 1927, the Young Māori Party held another conference during the Māori Lawn Tennis Association's tournament, which was intended to be an opportunity to establish 'new lines of communication between those interested in the welfare of the race and of organizing and co-ordinating all progressive movements'. At the conference, Māori assimilation in domestic life was praised and linked to improving Māori health.¹³² Two main recommendations were made at this conference to continue Māori housing improvements. Firstly, health surveys should be carried out to ascertain current Māori housing conditions, and to determine how to improve water supplies and sanitation to prevent outbreaks of typhoid and other infectious diseases. Secondly, the Health Department should grant more money towards the cost of water-supply schemes to prevent typhoid (caused by contaminated water supplies).¹³³ These grants (discussed earlier in this chapter) will be returned to in the next chapter of this report.

¹³² 'Report on Conference of Maori Representatives held at Putiki, Wanganui', AJHR, G-8, 1928, pp. 1-2

¹³³ 'Report on Conference of Maori Representatives held at Putiki, Wanganui', p. 5

2.9 How did Maori Councils address identified housing needs on Māori land, and how effective was this targeted programme for Māori?

Carroll, Ngata, and other Māori leaders used contemporary concerns about infectious diseases spreading from Māori to Pākehā due to insanitary living conditions to win support for the Maori Councils Act 1900.¹³⁴ The councils consisted of elected tribal representatives who acted as a limited form of self-government in each district.¹³⁵ These councils were not given sufficient government funding to carry out major projects, but still had some success developing and enforcing by-laws drafted by the Native Affairs Department. These by-laws and sanitary regulations for dwellings and their infrastructure were based on recommendations by Māori health reformers.¹³⁶

Maori Councils were most active in promoting healthier living conditions in the early 1900s, but their work was constrained by a lack of government funding.¹³⁷ In 1901, these councils unanimously adopted a by-law that required adequate ventilation for houses on Māori land.¹³⁸ The councils' efforts also led to increased attention to water supply and sanitation in Māori communities. The Maori Councils Act 1900 included the following provisions:

For the maintenance and control of water-supplies to Maori kaingas, villages, and pas, and the protection of such supplies from pollution ... For the ... construction of proper systems of drainage for the sanitation of Maori kaingas, villages, or pas, and for controlling the proper cleansing and maintenance of such drains.¹³⁹

The superintendent of the Maori Councils, Gilbert Mair, reported in 1903 that housing conditions were improving in many Māori communities due to these councils' efforts. He stated that more attention was now being given to water supplies, sanitation, and 'unsightly insanitary old whares are gradually being replaced by wooden buildings'.¹⁴⁰

¹³⁴ Ferguson, *Building the New Zealand Dream*, p. 55

¹³⁵ Nigel Isaacs, 'Maori Councils Act 1900: suspending floors', in Christine McCarthy (ed.), *"The raging fury of Edwardian ornamentation" meets "a virtual frenzy of stylism": New Zealand architecture in 1900s: a one day symposium*, Centre for Building Performance Research Faculty of Architecture and Design, Wellington: Victoria University of Wellington, 2019, pp. 31-32; Waitangi Tribunal, *Wairarapa ki Tararua Report*, Vol. 1, p. 343-344

¹³⁶ Apirana Ngata, 'Anthropology and the Government of Native Races in the Pacific', in *New Zealand Affairs*, Christchurch: L.M. Isitt Ltd., 1929, p. 36

¹³⁷ Waitangi Tribunal, *He Maunga Rongo: Report on Central North Island Claims*, Vol. 1, p. 368, p. 381, pp. 387-389, pp. 393-394; Waitangi Tribunal, *Napier Hospital and Health Services Report*, p. xxx, p. 150; Waitangi Tribunal, *Te Mana Whatu Ahuru: Report on Te Rohe Pōtae Claims*, pp. 27-28

¹³⁸ Ngata, 'Anthropology and the Government of Native Races in the Pacific', p. 38

¹³⁹ Maori Councils Act 1900 (64 VICT 1900 No 48), p. 258

¹⁴⁰ Gilbert Mair, 'Report of the General Conference held under the Provisions of the Maori Councils Act, 1900', AJHR, G-1, 1903, p. 1

Maori Councils supervised the demolition of substandard housing, the building of new dwellings, and the installation of sanitary facilities. Quoted in a 1905 *Press* article, Pōmare described how, since the Maori Councils Act came into operation, Māori had replaced ‘hundreds of whares ...[with] ... modern European houses ... without claiming a cent from the Government by way of compensation’. In particular, Pōmare praised the efforts of the East Coast Maori Councils, which had in the last year supervised the construction of more than 120 well-ventilated European-style houses with wooden floors on Māori land.¹⁴¹

In its *Wairarapa ki Tararua Report*, the Waitangi Tribunal made findings about how Māori in this inquiry district participated in the Maori Councils’ initiative. Pāremata Māori (the Parliament established at Pāpāwai near Greytown as part of the Kotahitanga movement) had worked together with the Crown and the Young Māori Party to establish the Maori Councils system. This new system did not go as far as the Pāremata Māori and the Kotahitanga movement in providing Māori with more autonomy, but was still supported by Wairarapa Māori who wanted to address their communities’ health and housing needs. Pāpāwai leadership endorsed Hēnare Parata to become this district’s native sanitary commissioner. Hāmuera Tamahau Mahupuku often accompanied Parata on his visits to kāinga and marae, even before the district officially elected its Maori Council (the Rongokako Maori Council) in 1901.¹⁴² Parata frequently wrote to Carroll describing this council’s work and the willingness of his community to participate in the council’s efforts to promote better housing and sanitary conditions throughout the region.¹⁴³

In 1906, the chair of the Tamatea Maori Council and sanitary inspector Īhāia Hūtana (Ngāti Kahungunu) reported to Pōmare about recent housing and health improvements which had occurred in this Māori community near Napier. According to Hūtana:

The Maori style of living is becoming absorbed by that of the pakeha: the Maori whares in the district have all but disappeared, new houses properly ventilated being erected to take their place. The reform has not stopped at the houses, but has also reached the well, and beyond the well to the fowls and pigs, which are now separated from the kaingas.¹⁴⁴

¹⁴¹ ‘The Maori Race’, *Press*, 17 June 1905, p. 4; See also Harman, ‘Some dozen raupo whares, and a few tents’, p. 52

¹⁴² Hāmuera Tamahau Mahupuku (Ngāti Kahungunu rangatira) was a runholder, newspaper proprietor, and Native Land Court assessor.

¹⁴³ Waitangi Tribunal, *Wairarapa ki Tararua Report*, Vol. 1, pp. 343-344

¹⁴⁴ Ihaia Hutana, ‘Ihaia Hutana to Pomare’, *AJHR*, H-31, 1906, p. 79

Hūtana stated that there had been a reduction in children becoming ill or dying. Thirty-seven new houses had been built in his community in the last year, twenty-five toilets had been installed, and nineteen substandard dwellings had been destroyed.¹⁴⁵

During the same year, Raureti Mokonuiarangi (Ngāti Rangitihi leader and Maori Council member) wrote to Pōmare describing housing improvements in the Rotorua district. He stated that thirty-nine 'comfortable weatherboard houses' had been built in the last twelve months. More weatherboard houses would be constructed to replace whare wīwī (dwellings built from native rushes) once sufficient timber had dried for their construction. Mokonuiarangi stated that a whole new village had been built in a year at Tapuaeharuru. Mokonuiarangi called for the government to provide financial assistance for drains and water-pipes for Māori communities to promote their health. He was concerned the 'unpicturesqueness of drains and water-pipes' in Māori villages in tourist areas might deter the government 'from spending a little money on these great adjuncts to health'.¹⁴⁶

In 1907, Mokonuiarangi reported to Dr James Mason (the Department of Public Health's Chief Health Officer) on housing improvements. He stated that most houses on Māori land in the Te Arawa area now had floors and were well-ventilated. However, Mokonuiarangi continued to call for financial support from the government to improve sanitary facilities. In particular, Ōhinemutu and Whakarewarewa needed pipes to remove the sewage from their community. According to Mokonuiarangi:

The Department [of Health] would do well if they could get the Government to move in the direction of getting these pipes, because it would be of great public benefit ... I would not bother the Government if it were not for the fact that the £30 or £40 which my Council derives from dog-taxes is consumed in the salaries of the Registrars of Births and Deaths and the policeman.

The rest has been used for urgent need in different pas, such as water-supplies, drains, &c.¹⁴⁷

Mokonuiarangi stated that his council would be able carry out every instruction from the Health Department if the government subsidised his work. He also wanted to replace numerous substandard houses, but could not do so without subsidies.¹⁴⁸ Historians have also argued that the lack of financial assistance from the Crown significantly constrained Maori Councils' work and limited their effectiveness.¹⁴⁹

¹⁴⁵ Ihaia Hutana, 'Ihaia Hutana to Pomare', p. 79; See also Angela Ballara and Don Hutana. 'Hūtana, Īhāia - Hutana, Ihaia', *Dictionary of New Zealand Biography*, first published in 1993. *Te Ara - the Encyclopedia of New Zealand*, <https://teara.govt.nz/en/biographies/2h58/hutana-ihaiia> (accessed 11 April 2022)

¹⁴⁶ Raureti P. Mokonuiarangi, 'Raureti P. Mokonuiarangi to Pomare', AJHR, H-31, 1906, pp. 77-78

¹⁴⁷ Raureti Mokonuiarangi, 'Report to J.M. Mason', 7 May 1907, AJHR, H-31, 1907, p. 57

¹⁴⁸ Mokonuiarangi, 'Report to J.M. Mason', p. 57

¹⁴⁹ Binney with O'Malley, 'The Quest for Survival, 1890-1920', p. 290; Lange, *May the People Live*, pp. 196-197, pp. 227-228

Despite their limited funding, Maori Councils around the country still managed to condemn and demolish over 1,256 homes, and oversee the construction of 2,103 new houses and 301 ‘new Maori whares’ by 1909. These councils also supervised the installation of more than 1,000 water closets (flush toilets).¹⁵⁰ Most of the funding for these housing and sanitary improvements came from money raised by the councils through their collection of a dog tax and fines for breaches of their by-laws. The government provided very little financial support for their work.¹⁵¹ As noted by Paul Christoffel, many of these new houses were not built to a high standard and their owners were often unable to afford to keep up with the maintenance. This meant that improvements in the standard of housing on Māori land in the early twentieth century under the direction of Maori Councils were often difficult to maintain, especially during the economic depression of the late 1920s and early 1930s.¹⁵²

One of these improvements was the shift from rammed earth floors to raised wooden floors. Five Māori councils gazetted by-laws specifying the use of suspended floors or the need for sub-floor ventilation between 1902 and 1910. These by-laws enabled the relevant Maori Council to require new houses on Māori land to include ‘a raised wooden floor’. Those who failed to comply with this by-law would be fined 10 shillings or £1 depending on the council. According to architecture researcher Nigel Isaacs, the lack of specifications for sub-floor ventilation indicates that these by-laws aimed to prevent the use of rammed earth floors in new housing. The use of raised wooden floors aimed to promote health by making homes warmer and drier. Housing regulations for Pākehā communities during this period did not include the same flooring requirements.¹⁵³

In 1910, the Raukawa Maori Council passed new by-laws, which included rules for housing on Māori land in this district. According to these by-laws, the council could require a homeowner or occupier to construct a raised wooden floor in any house (except for an outbuilding or cooking shed) built following the enactment of these new by-laws or be fined up to £1. These by-laws also included provisions and potential fines to prevent water-supplies from becoming contaminated.¹⁵⁴

The Maori Councils’ efforts went into decline in the 1910s due to a lack of funding and effective government support and some of these councils were no longer operating in the 1920s, but many others

¹⁵⁰ Maui Pomare, ‘Report by Dr Pomare on Sanitary Conditions of the Maori’, AJHR, H-31, 1909, p. 60

¹⁵¹ Ferguson, *Building the New Zealand Dream*, p. 55; Christoffel, ‘Education, Health and Housing in the Taihape Inquiry District, 1880–2013’, p. 305

¹⁵² Christoffel, ‘Education, Health and Housing in the Taihape Inquiry District, 1880–2013’, p. 305

¹⁵³ Nigel Isaacs, ‘Evolution of sub-floor moisture management requirements in UK, USA and New Zealand 1600s to 1969’, *International Journal of Building Pathology and Adaptation*, 37, 4, 2019, p. 376; See also ‘The Maori Council of the Raukawa Maori District: By-Laws’, 6 October 1910, *The New Zealand Gazette*, No. 92, p. 3730

¹⁵⁴ ‘The Maori Council of the Raukawa Maori District: By-Laws’, 6 October 1910, *The New Zealand Gazette*, No. 92, p. 3730

were reinvigorated during this decade.¹⁵⁵ As part of the Native Land Amendment and Native Land Claims Adjustment Act 1919, they were renamed Maori Health Councils to emphasise their health-related role. Their work was linked to progress in improving sanitation and housing on Māori land throughout the 1920s.¹⁵⁶ Auckland's District Health Officer reported in 1920 that Maori Councils in this region had been revived and were working to improve 'housing and sanitary conditions'.¹⁵⁷ In 1921 the Māori census sub-enumerator was positive about many of these councils' efforts to raise sanitary standards through their enforcement of sanitary regulations.¹⁵⁸ During the 1920s, Te Rangi Hīroa endeavoured to revitalise the councils. In 1925 he praised the councils' efforts to improve housing and thereby Māori health.¹⁵⁹ During the 1920s, both the Maori Health Councils and local authorities for the general population passed new housing by-laws that included specific regulations to ensure sufficient ventilation under dwellings to reduce dampness and promote healthier living conditions.¹⁶⁰

The Maori Councils were an important Māori-led initiative to improve Māori health during the early twentieth century. These organisations had some success in improving housing on Māori land during this period. However, inadequate government financial assistance constrained the effectiveness of these councils. They received some small government subsidies for their work (during the period 1901 to 1913), subsidies for some of their sanitary works, and were empowered to raise money through dog taxes and fines for breaches of their local by-laws.¹⁶¹ As noted by Bruce Stirling, Maori Councils were 'to a certain extent, a good idea that was poorly executed ... and ... desperately underfunded'.¹⁶²

¹⁵⁵ Binney with O'Malley, 'The Quest for Survival, 1890–1920', p. 290; Lange, *May the People Live*, pp. 196–197, pp. 227–228.

¹⁵⁶ Native Land Amendment and Native Land Claims Adjustment Act 1919 (10 GEO V 1919 No 43), p. 151; 'Annual Report of Director-General of Health', AJHR, H-31, 1928, p. 37; 'Welfare of Maoris', *New Zealand Herald*, 3 September 1925, p. 10; Lange, *In an Advisory Capacity*, pp. 9–10

¹⁵⁷ 'Public Health and Hospitals and Charitable Aid: Report thereon by the Chief Health Officer and Inspector-General of Hospitals and Charitable Institutions', AJHR, H-31, 1920, p. 8

¹⁵⁸ 'Census of the Maori Population', AJHR, H-39a, 1921, p. 2

¹⁵⁹ 'Welfare of Maoris', *New Zealand Herald*, 3 September 1925, p. 10

¹⁶⁰ Isaacs, 'Evolution of sub-floor moisture management requirements in UK, USA and New Zealand 1600s to 1969', p. 376

¹⁶¹ Maori Councils Act 1900, (64 VICT 1900 No 48), pp. 256–25; Christoffel, 'Historical Māori Housing 1840–1934', pp. 111–112; Lange, *May the People Live*, pp. 189–196

¹⁶² Stirling, 'Wairarapa Maori and the Crown', pp. 42–43

2.10 In what other ways did Māori seek to address the housing needs of their communities?

Māori communities continued to lead improvements in housing on Māori land during the early twentieth century.¹⁶³ As this section will discuss, Māori leaders Te Puea Hērangi, Rua Kēnana, and Tahupotiki Wirumu Rātana established new residential communities for their followers without Crown support. Housing researcher Fleur Palmer (Te Rarawa and Te Aupōuri) described Parihaka and Maungapōhatu as ‘successful examples of post-colonial models of intensive, mixed-use, Māori-led papakāinga development ...[which] ... were undermined through Crown interventions’.¹⁶⁴ Health researcher Carey Robson stated that these Māori-led communities could be viewed as an attempt ‘to recover the health and welfare of their people on Māori terms and within Māori traditions, as much as they were religious and political movements’.¹⁶⁵ The remainder of this chapter is dedicated to exploring these three local examples, Tūrangawaewae, Maungapōhatu, and Rātana Pā.

Following the 1918 influenza pandemic, Te Wherowhero’s granddaughter Te Kirihaehae Te Puea Hērangi (Ngāti Mahuta) decided to move from swampy living conditions at Mangatāwhiri to build a new community on the banks of the Waikato River near Ngāruawāhia. Under the New Zealand Settlements Act, the Crown had confiscated this land in 1863 following its invasion of the Waikato. The Kīngitanga movement’s Waikato leaders purchased this general land in 1920, which had belonged to their tūpuna before confiscation. Te Puea’s initiative turned ten acres of scrub-covered land into a ‘fully serviced’ papakāinga known as Tūrangawaewae.¹⁶⁶ She initially faced racist attitudes from Ngāruawāhia’s Pākehā citizens, who argued that the settlement ‘would be an eyesore and health hazard’.¹⁶⁷

Under Te Puea’s leadership, members of her community constructed inexpensive houses for this new Māori community. According to historian Michael King, raupō was used to construct the walls and ceilings, ponga ferns or mānuka poles for the framing, and the nīkau branches for the thatched roofs.

¹⁶³ Ferguson, *Building the New Zealand Dream*, p. 101

¹⁶⁴ Palmer, ‘Building Sustainable Papakāinga to Support Māori Aspirations for Self-determination’, p. 51

¹⁶⁵ Carey Robson, “I cannot see what makes the difference except race”: Representations of Māori Health 1880–1920’, MA thesis, University of Auckland, 2007, pp. 80-81

¹⁶⁶ Deidre Brown, *Māori Architecture: From Fale to Wharenui and Beyond*, Auckland: Penguin Group, 2009, p. 101; See also Ann Parsonson, ‘Hērangi, Te Kirihaehae Te Puea’, *Dictionary of New Zealand Biography*, first published in 1996. Te Ara - the Encyclopedia of New Zealand, <https://teara.govt.nz/en/biographies/3h17/herangi-te-kirihaehae-te-puea> (accessed 22 March 2022)

¹⁶⁷ Michael King, *Te Puea: A Life*, Auckland: Reed Books, 2003, 4th edn., p. 112

Sacks were opened up and reused to create partitions for the larger buildings.¹⁶⁸ Architectural historian Deidre Brown stated that these four-roomed houses were a hybrid of Māori and Pākehā housing design and included both thatched and weatherboard walls with iron roofs and wooden floors ‘raised on piles above the ground’ (see Figure 2.6 for a photograph of Te Puea outside a house built in this style). According to Brown, the use of thatch for weatherproofing reduced the cost of building materials and was ‘more familiar to non-expert Māori builders than cladding on framing’. These houses had separate outdoor washhouses.¹⁶⁹ Following the construction of these dwellings, local Pākehā complained to their borough council and demanded an official inspection of Tūrangawaewae. The council arranged a Health Department inspector to visit. This inspector reported that Tūrangawaewae met the current regulations and was cleaner and more hygienic than many Pākehā homes nearby.¹⁷⁰



Figure 2.6: Te Puea Hērangi outside a hybrid-style house sometime in the 1930s,
Alexander Turnbull Library Reference: 1/2-059950

¹⁶⁸ King, *Te Puea: A Life*, p. 113

¹⁶⁹ Brown, *Māori Architecture: From Fale to Wharenui and Beyond*, pp. 104-105

¹⁷⁰ King, *Te Puea: A Life*, pp. 113-114; Brown, ‘Tūrangawaewae Kore: Nowhere to Stand’, p. 346

Eric Ramsden, a Pākehā journalist, visited Tūrangaewae in 1927 and wrote an article for the Auckland newspaper the *Sun* describing this community.¹⁷¹ He described how the ‘spick and span hutments’ were built on previously confiscated land, which was covered in gorse and blackberry, when it returned to Māori ownership ten years prior. Ramsden compared the spread of gorse and blackberry to how ‘the Europeans themselves have covered ... ancient lands’, which previously belonged to Māori. Ramsden stated that each dwelling had its own small garden and was spaced carefully from other buildings. He wrote about how Māori fundraised to build this community without government support. Tūrangaewae was not only a Māori-led and funded housing initiative; it was also a Māori-built community. Māori men constructed the roofs and walls, and Māori women (including Te Puea) nailed the floorboards.¹⁷²

In 1929, Dr Edward Pōhau Ellison wrote to the Native Department to ask for a subsidy for sanitary improvements at Te Puea’s newly established papakāinga. As discussed earlier in this chapter, Te Rangi Hiroa and Ellison made numerous similar requests during the 1920s for Māori communities around the country. Ellison’s letter quoted a health department officer’s report of the conditions at this community:

It is really an ideal and up-to-date pa with the exception of the sanitary conveniences to meet emergencies when large numbers ... visit the locality and to overcome this difficulty I have to suggest that the following conveniences be erected to place the pa upon a sound footing from a sanitary and health aspect for all time.¹⁷³

Te Puea had agreed to provide the labour and materials to construct six water closets (flush toilets), a urinal, a septic tank, and drainage at the cost of £275, but required £75 as a government grant to begin this process.¹⁷⁴ The Native Department Under-Secretary R.N. Jones replied, suggesting that the money required for these sanitary facilities could be advanced from the Civil List and then repaid from ‘the first payment to be made to the Waikato people under the Confiscated Lands Commission’s recommendations’.¹⁷⁵ In 1947, the Crown made the first compensation payment to the Tainui Trust

¹⁷¹ Michael King, ‘Ramsden, George Eric Oakes’, *Dictionary of New Zealand Biography, Te Ara - the Encyclopedia of New Zealand*, <https://teara.govt.nz/en/biographies/4r1/ramsdn-george-eric-oakes> (accessed 14 June 2022)

¹⁷² Eric Ramsden, ‘At the Footstool of Old King Tawhiao’, *Sun*, 10 September 1927, p. 17

¹⁷³ Edward Pōhau Ellison, ‘Memorandum for the Under-Secretary, Native Department’, 11 February 1929, ‘Received: 12th February 1929 – From: Director, Division of Maori Hygiene, Wellington – Subject: Ngaruawahia Pa – Sanitary Improvements as to a subsidy of £75 by the Government’, R22411459, Archives NZ, Wellington

¹⁷⁴ Ellison, ‘Memorandum for the Under-Secretary, Native Department’

¹⁷⁵ R.N. Jones, ‘Letter to Director, Division of Maori Hygiene’, 12 March 1929, ‘Received: 12th February 1929 – From: Director, Division of Maori Hygiene, Wellington – Subject: Ngaruawahia Pa – Sanitary Improvements as to a subsidy of £75 by the Government’, R22411459, Archives NZ, Wellington

Board.¹⁷⁶ However, research has been unable to determine whether a government grant for sanitary facilities was deducted from this compensation payment.

By the end of the 1920s, Te Puea had successfully established a new Māori community, which was a ‘model of sanitation and cleanliness’.¹⁷⁷ She built on this success by purchasing more land and becoming involved in Ngata’s land development schemes from 1929 onwards. Te Puea designed and organised the construction of affordable housing for Māori whānau working on these land development schemes in the Waikato during the economic depression of the late 1920s and early 1930s.¹⁷⁸

The establishment of the new community Maungapōhatu by Tūhoe religious leader Rua Kēnana provides another example of how Māori sought to address their housing needs through their own leadership during the early twentieth century. In 1906, Rua’s followers constructed houses with pit-sawn rimu palings for walls, canvas or rough wooden slabs for roofs, and earth floors for a new community led by Rua Kēnana at the foot of Ngāi Tūhoe’s sacred mountain, Maungapōhatu. Around 500 to 600 people lived in this community during its early years.¹⁷⁹ According to anthropologist Peter Webster, ‘Parihaka under Te Whiti had already set a high standard for other independent Maori settlements to copy’ and Rua similarly wanted to create a new township with steadily improving housing standards.¹⁸⁰

Rua’s housing improvements may have also been in response to the pre-existing substandard housing conditions in this area at this time. In 1904, Pōmare visited fourteen communities in ‘Tuhoeland’ and stated that most dwellings in this area lacked ‘floors or chimneys; they are draughty and very cold in winter ... Instructions have been given them not to consider their houses complete until they are floored, lined, and chimneys added’. Pōmare also criticised the design of kāuta (cooking sheds or cookhouses) in this district for being ‘poorly constructed ... [and] thoroughly exposed to the elements’. Nevertheless, he noted some progress was beginning to be made in this district as 28 ‘old Maori whares’ had been destroyed, and 84 new houses (68 wooden cottages and 16 ‘Maori whares’) had been constructed in this district during the last two years.¹⁸¹

¹⁷⁶ King, *Te Puea: A Life*, p. 251

¹⁷⁷ King, *Te Puea: A Life*, pp. 131-132

¹⁷⁸ King, *Te Puea: A Life*, pp. 158-159, p. 162, p. 164; See also Harris, ‘Persistence and Resilience, 1920–1945’, pp. 327-328

¹⁷⁹ Judith Binney, ‘Maungapohatu Revisited: Or, how the government underdeveloped a Maori community’, *New Zealand Journal of History*, 38, 2, 2004, p. 169

¹⁸⁰ Peter Webster, *Rua and the Maori Millennium*, Wellington: Victoria University Press, 1979, pp. 195-196

¹⁸¹ Maui Pomare, ‘Report of Dr. Pomare, Health Officer to the Maoris’, AJHR, H-31, 1904, pp. 60-61; See also Judith Binney, *Encircled Lands*, Wellington: Bridget Williams Books, 2009, p. 625

Newspapers in the early 1900s reported on the housing conditions at Maungapōhatu (see Figure 2.7 below for 1908 photograph of this community). A 1907 *Poverty Bay Herald* article described how Rua chose the side of a ‘rising piece of land’ for his township, instead of ‘some flat and unhealthy low lying ground, as the Maoris generally do’. This article praised Rua for preventing overcrowding and enforcing ‘personal cleanliness’ by providing numerous communal handbasins with running water. A diverted stream was used to create three pools for this community. One pool was used for drinking and cooking purposes, another for domestic washing, and a third for personal bathing. Springs also provided water for this community.¹⁸² A 1908 *New Zealand Herald* article reported that Maungapōhatu had approximately fifty houses built from split-paling, several smaller huts and tents on the nearby hillside, Rua’s sixteen-room weatherboard residence, a store, a butchery, restaurant, ‘a council office, in connection with a bank has been opened’, and the tabernacle. According to the unnamed author of this article, ‘[i]f a building becomes pest ridden or otherwise untenable it is burned to the ground, for the great man insists that his followers must be cleanly in person and dwelling’.¹⁸³ During the same year, the *Auckland Star* praised Rua’s efforts to improve housing and health at Maungapōhatu. The unnamed author of this article suggested that the government should provide financial assistance to Rua to support his efforts and stated:

Evidently Rua has been able to establish reforms which the Hon. the Native Minister and others associated with him in the Native Department have entirely failed to accomplish ... If Rua and others like him were offered even a handsome remuneration for their services they would save much of the expense which the Native and Health Departments are put to many times over, to say nothing of doing more for the good of the Maoris than has ever been done yet.¹⁸⁴

¹⁸² ‘A Sketch of Rua’, *Poverty Bay Herald*, 30 December 1907, p. 2

¹⁸³ ‘The Home of the Maori Prophet’, *New Zealand Herald*, 20 April 1908, p. 7

¹⁸⁴ ‘Method in his madness’, *The Wanganui Herald*, 28 April 1908, p. 4

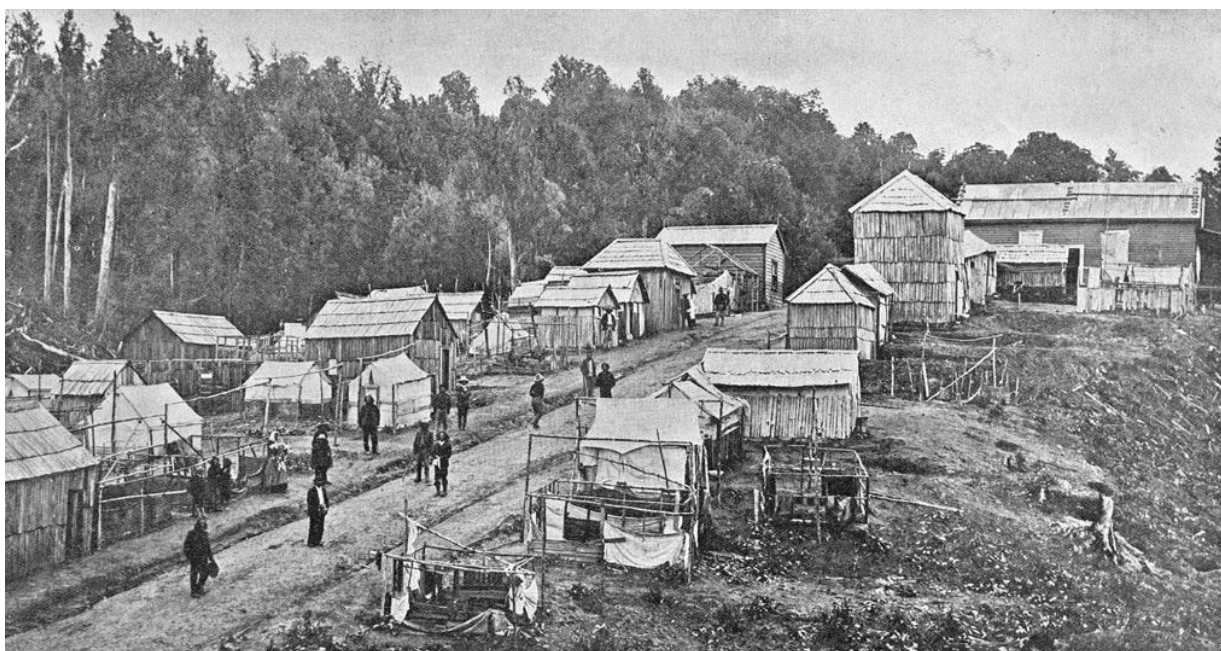


Figure 2.7: 'The settlement of Maungapohatu' (c. 1908),
Auckland Weekly News, April 1908, Sir George Grey Special Collections, Auckland Libraries, 7-A3313

In 1908, Rua sought access to government funding to further improve his community and to develop the surrounding land owned by his followers. The *Poverty Bay Herald* reported on Rua's visit to Wellington to ask the Liberal Government to advance money, which would be repaid.¹⁸⁵ During this visit, Rua met with the Native Minister James Carroll, but Carroll told Rua to wait until he had consulted with the Cabinet.¹⁸⁶ In November 1908, Rua offered to sell 100,000 acres of land to the government 'at a fair valuation' to fund land development and again asked for roading improvements for Te Urewera.¹⁸⁷ As noted by the Waitangi Tribunal in its *Te Urewera* report:

One result of the lack of access to funding was that Te Urewera leaders looked to sell land to the Crown in order to fund land development – as Rua Kenana did in 1908, hoping to raise funds for clearing and stocking land at Maungapohatu, although interestingly his earlier preference seems to have been that the Crown advance funds for development.¹⁸⁸

In her research report for the Te Urewera district inquiry, historian Judith Binney argued that Rua was primarily motivated to sell land 'to raise financial capital to develop Maungapohatu, and to assert that

¹⁸⁵ 'Rua's Tour', *Poverty Bay Herald*, 15 June 1908, p. 5

¹⁸⁶ 'The "Prophet" Rua', *Poverty Bay Herald*, 27 June 1908, p. 7; Cecilia Edwards, 'The Urewera District Native Reserve Act 1896, Part 3: Local Government and Land Alienation under the Act', 2003, (Wai 894, #D7(b)), p. 63

¹⁸⁷ 'Opening up the Uriwera [sic.]', *Poverty Bay Herald*, 26 November 1908, p. 5; See also Judith Binney, 'Encircled Lands, Part 2', 2002, (Wai 894, #A15), p. 395

¹⁸⁸ Waitangi Tribunal, *Te Urewera*, Vol. 5, Wellington: Legislation Direct, 2017, p. 1985

his was the authority to sell'. She argued that Ngata facilitated this land sale in order to make a 'sacrificial offering of some areas of Maori land to the Liberals' goals of expanding opportunities for European settlement and farming' and to prevent the sale of Māori land in other parts of the country. Binney stated that most Tūhoe did not want to sell their lands, but were faced with a Liberal Government which was 'actively seeking' to buy their land and were persuaded by Rua and Ngata to do so. She added that the only form of Crown support for Tūhoe at this time was money provided in return for the sale of Māori land and the occasional grant of seed potatoes during times of famine. The Crown did not provide support for Māori housing needs in Te Urewera during the early twentieth century. Instead, as noted by Binney, it was left for whānau 'to pool their scanty resources' under Rua's leadership to create this new community at Maungapōhatu.¹⁸⁹

Despite this ongoing lack of financial resources and very little support from the Crown, Rua led the rebuilding of this community in the late 1920s with new slab and shingle houses with galvanised iron roofs. According to Binney, Rua's conversations with the University of Otago's Professor of Public Health and Bacteriology, Charles Hercus, following this community's 1925 typhoid outbreak influenced the design of the new dwellings and most likely the 'entire concept of the community'.¹⁹⁰ Hercus recommended that the old wells should be cleared out, new outside toilets constructed, and new dwellings built with a minimum of two rooms to replace wharepuni (sleeping houses). Rua also re-established his strict rules of hygiene for this community of approximately 150 people during the late 1920s.¹⁹¹

However, his community continued to struggle both financially and in terms of adverse health impacts. These two factors were connected as poverty contributed to malnutrition and improved housing conditions in the late 1920s (including better sanitary and water supplies and clean houses with wooden floors) could not prevent the high infant mortality rate and overall death rate. Tuberculosis, a disease of poverty, also disproportionately affected this community.¹⁹² A continued lack of capital and transport connections to the rest of the country constrained this community's efforts to develop their remaining land and improve their financial situation, and thus health, despite their gifts of land to the Crown for roading purposes.¹⁹³ As noted in the Waitangi Tribunal's *Te Urewera* report

¹⁸⁹ Binney, 'Encircled Lands, Part 2', p. 412, pp. 466-468

¹⁹⁰ Judith Binney, 'Maungapohatu Revisited', in Judith Binney, *Stories without end*, Wellington, Bridget Williams Books, 2010, p. 90

¹⁹¹ Binney, 'Maungapohatu Revisited', pp. 91-92; Brian Murton, 'The Crown and the Peoples of Te Urewera: The Economic and Social Experience of Te Urewera Maori, 1860-2000', 2004 (Wai 894, # H12), Part Five, p. 1850

¹⁹² Binney, 'Maungapohatu Revisited', pp. 102-108; Murton, 'The Crown and the Peoples of Te Urewera', p. 2083

¹⁹³ Binney, 'Maungapohatu Revisited', pp. 94-98

the Crown's failure to build promised arterial roads made farming in many parts of Te Urewera even more difficult and unprofitable than would otherwise have been the case, particularly in areas which had only been developed because of the promise of roads.¹⁹⁴

The Tribunal found that the lack of 'real road access' contributed to Maungapōhatu's decline.¹⁹⁵

During the 1920s, religious and political leader Tahupōtiki Wirumu Rātana (Ngāti Apa and Ngā Rauru) and around 400 of his followers created a new settlement on 39 acres near Whanganui. It was built on land belonging to the Rātana whānau and became known as Rātana Pā. According to Deidre Brown, this name echoed 'the religious and political missions associated with the other contemporaneous pā at Parihaka and Papawai'. In common with Parihaka and Tūrangawaewae, Rātana Pā's dwellings were clustered along streets or right-of-ways. Māori living at Rātana Pā constructed their homes in a range of styles from whatever building materials they could afford or access.¹⁹⁶ Rātana often re-read and referred to James Pope's *Health for the Maori* (discussed in more detail in the previous chapter) and it is likely that this book led to Rātana's decision to draw on Pākehā building methods and housing design.¹⁹⁷ Some buildings were relocated from other communities. Rātana Pā initially lacked piped water, plumbing, and sewerage. A large well with a hand pump was the only water supply for this rapidly growing community during the 1920s (see Figure 2.8 for a photograph of this community in 1923).¹⁹⁸

¹⁹⁴ Waitangi Tribunal, *Te Urewera*, Vol. 8, p. 3597

¹⁹⁵ Waitangi Tribunal, *Te Urewera*, Vol. 8, p. 3597

¹⁹⁶ Brown, *Māori Architecture: From Fale to Wharenui and Beyond*, p. 111

¹⁹⁷ Brown, *Māori Architecture: From Fale to Wharenui and Beyond*, pp 117-118; See also Keith Newman, *Ratana revisited: An unfinished legacy*, Auckland: Reed Books, 2006, p. 64; J. Henderson, *Ratana: The man, the church, the political movement*, Wellington: The Polynesian Society, 1963, p. 35

¹⁹⁸ Newman, *Ratana revisited: An unfinished legacy*, p. 67



Figure 2.8: 'Buildings and unidentified group at Ratana Pa, Ratana', Original photographic prints and postcards from file print collection', Box 14. Ref: PAColl-6585-14. Alexander Turnbull Library, Wellington, New Zealand.

In 1926, several newspaper articles raised concerns about the housing conditions at Rātana Pā. These articles were based on a report by Dr Thomas McKibbin, the director of the Health Department's Public Hygiene Division. The report described his visit to this community in response to a typhoid outbreak. He connected typhoid cases in the Hawke's Bay and Central North Island to people who had recently visited Rātana Pā. As McKibbin stated:

the outstanding feature of the visit ... was the discovery of appalling living conditions at the village and the health authorities intended to compel the subscribers to the Ratana movement to improve the sanitation of their headquarters.¹⁹⁹

Rātana Pā's lack of piped water supply or drainage system was viewed as a potential health risk to the wider community because thousands of Māori visited this community before returning to their homes around the country. McKibbin stated that the newly built cottages at Ratana were constructed too close

¹⁹⁹ 'Appalling Health Conditions at Ratana Village', *Christchurch Star*, 17 May 1926, p. 13

to one another considering their lack of drainage and sanitation. Further, McKibbin negatively contrasted Rātana to other Māori communities, which had Maori Councils, including the larger villages of Pakipaki and Ōmahu in the Hawke’s Bay that were ‘kept in a sanitary condition’.²⁰⁰

2.11 Conclusion

The Crown continued to monitor Māori housing needs to a limited extent through reports from government officials, Maori Council members, and censuses. Government housing assistance programmes focused primarily on assisting those living on general land throughout this period, which either excluded access to assistance for housing on Māori land, or created barriers for Māori to access these programmes. The Crown’s targeted assistance for Māori during this period consisted of public health education, limited funding for rainwater tanks and other housing infrastructure, and a small number of housing loans as part of the Māori land development schemes beginning in 1929 at the end of this chapter’s period. More funding for Māori sanitary inspectors, Maori Councils, water supplies and sanitation, and housing loans would likely have improved the effectiveness of these initiatives that aimed to improve Māori health through better housing conditions.

Māori leaders, including Ngata, Carroll, Pōmare, Te Puea, Rua, and Rātana, sought to improve housing on Māori land throughout this period. Ngata, Carroll, and Pōmare worked with the Crown to improve health and housing conditions. Under their individual political leaderships Te Puea, Rua, and Rātana established three new independent Māori communities and sought to provide for the housing needs of their people.

The Crown was aware of the adverse health impacts for Māori (including higher rates of typhoid, tuberculosis, smallpox, and influenza) and how these were linked to inadequate housing on Māori land from 1900 to 1929. Overcrowded, cold, or damp housing, and a lack of clean water supplies and sanitary provisions exacerbated the impacts of these introduced diseases, which disproportionately affected Māori. The limited housing support for Māori in the early twentieth century was at the centre of public health policy and dedicated housing policy for Māori (discussed in the next chapter) would emerge with the rise of the welfare state.

²⁰⁰ ‘Menace to Health’, *Auckland Star*, 17 May 1926, p. 8; ‘Rātana: Conditions Appalling’, *Dominion*, 19 May 1926, p. 8

Chapter Three: Increased but still insufficient support for housing on Māori land, 1930–1949

3.1 Introduction

This chapter discusses the increased support for housing on Māori land provided by successive governments during the 1930s and 1940s as part of the growing welfare state. The prevention and cure of tuberculosis and other infectious diseases remained an important factor for government housing policy for Māori during these decades. The chapter begins by considering how the Crown increasingly monitored Māori housing conditions during the 1930s and 1940s through housing surveys and more detailed housing questions in censuses. The chapter then explores how government housing loans, provided through the Māori land development schemes and Native Affairs housing programme, aimed to improve Māori health by reducing overcrowding and improving sanitation. This chapter also examines how financial constraints and the Second World War hampered these schemes along with inequities in government funding for housing on general and Māori land. The key context for this chapter is that only 6.8 per cent of New Zealand was Māori land by 1939.¹

In 1936, the Labour Party formed an alliance with Rātana to improve the Māori standard of living, but with an assimilationist focus. According to historian Claudia Orange, Labour and Rātana ‘took the first steps towards a formal alliance’ following the election of Eruera Tirikātene (the first Rātana MP) in 1932.² This alliance was formalised in 1936 at a meeting between Rātana and Michael Joseph Savage (the first Labour Prime Minister). Historian Richard Boast stated that ‘this political alliance was an important step ... aimed at bringing Māori within the protections of Labour’s welfare state’.³ By 1943, Rātana MPs held all four of the Māori seats in alliance with the Labour Government.⁴ As discussed in

¹ Jim McAloon, ‘Land ownership - Consolidation of land settlement, 1912–1950s’, *Te Ara - the Encyclopedia of New Zealand*, <http://www.TeAra.govt.nz/en/land-ownership/page-6> (accessed 27 September 2022)

² Claudia Orange, *An Illustrated History of the Treaty of Waitangi*, Wellington: Bridget Williams Books, 2004, pp. 123–124

³ Richard Boast, ‘Re-thinking individualisation: Māori land development policy and the law in the age of Ngata (1920–1940)’, *Canterbury Law Review*, 25, 2019, pp. 24–25

⁴ Aroha Harris, ‘Persistence and Resilience, 1920–1945’, in Atholl Anderson, Judith Binney, and Aroha Harris (eds), *Tangata Whenua: A History*, Wellington: Bridget William Books, 2015, p. 315

this chapter, Rātana MPs supported the Labour Government’s housing programmes for Māori and encouraged Labour to provide more funding for Māori housing.⁵

This chapter examines Māori communities at Ōrākei, Waiwhetū, and Pāpāwai as case studies to examine how Māori sought to address their communities’ housing needs and the impacts of Crown legislation and policy on housing on Māori land. The chapter’s two urban case studies, Ōrākei and Waiwhetū, examine the struggles of these Māori communities to remain living on their land and housed together as a community, and how the implementation of government housing policy contributed to the loss of their land. The chapter returns to Pāpāwai to show how members of this rural community called for government support to improve their housing conditions, and how housing surveys and new government housing policies were implemented in this rural Māori community.

3.2 How did the Crown monitor and inform itself of Māori housing needs and preferences with respect to Māori land?

The Crown monitored and informed itself about Māori housing needs to a much greater extent during the 1930s and 1940s than previously. Government officials began to survey housing on Māori land during the 1930s at the same time as local authorities carried out the national housing surveys for dwellings on general land. The Housing Survey Act 1935 required local authorities to carry out housing surveys in every borough and town district in New Zealand with at least one thousand inhabitants.⁶ Housing surveys were part of a wider international interest in social surveys during this period.⁷ Surveys of Māori housing conditions may have also been carried out in response to the recommendations made at the Young Māori Party Conference in 1927 (as discussed in the previous chapter of this report) that surveys should be carried out to ascertain Māori housing conditions, and to determine how to improve water supplies and sanitation to prevent outbreaks of typhoid and other infectious diseases.⁸

Māori housing statistics collated by housing surveys and censuses revealed high levels of overcrowding, inadequate roofs, and many homes lacking adequate water supplies and sanitation. According to Matthew Rout and Grace Walker (Ngāti Kahungunu and Ngāruahine), the Crown’s decision to conduct

⁵ ‘Housing’, *Auckland Star*, 20 October 1937, p. 10; NZPD, Vol. 254, 1939, pp. 375-376

⁶ Housing Survey Act 1935 (26 GEO V 1935 No 40), p. 260

⁷ Charlotte Greenhalgh, ‘The Travelling Social Survey: Social Research and its Subjects in Britain, Australia and New Zealand, 1930s–1970s’, *History Australia*, 13, 1, 2016, pp. 124-138

⁸ ‘Report on Conference of Maori Representatives held at Putiki, Wanganui’, AJHR, G-8, 1928, p. 5

multiple Māori housing surveys during the 1930s and 1940s was motivated by contemporary concerns about ‘the physical health issues created or exacerbated by poor housing’.⁹

In 1933, Dr Harold Turbott, the Gisborne medical officer of health, conducted one of the first Māori housing surveys at Waiapu on the North Island’s East Coast. It is unclear whether this survey was on Māori land or general land. Turbott surveyed just over 2,000 Māori in this community and found that over half (57.58 per cent) of their dwellings were overcrowded. He used the overcrowding standard of ‘[t]wo or more persons per room, and 300 cubic feet or under per person’.¹⁰ Many of these homes were damp (15.47 per cent), dark (20.74 per cent) and unventilated (22.29 per cent), and half lacked an adequate water supply and sanitary facilities. Only 13.31 per cent of these houses had a sink and 8.04 per cent had a bath. Turbott recorded that the vast majority of these houses were very clean even the 17.02 per cent of houses which had earth floors.¹¹

Following the passing of the Native Housing Act 1935 (discussed in detail later in this chapter), the Department of Native Affairs began to survey housing conditions on rural Māori land to assess housing needs. Māori District Land Boards conducted these surveys in seven districts. A housing or health official visited each community and reported on housing conditions, the health of each dwelling’s inhabitants, and whether the dwelling was overcrowded.

As part of these housing surveys, R.W. Pōmare, a Māori health inspector, inspected around 369 houses in 36 Māori communities in the Tauranga County in 1936. Of these dwellings, 80 per cent had three or more people per room, 46 per cent lacked windows or only had covered windows, 47 per cent lacked adequate sanitation, 50 per cent lacked adequate ventilation, and 79 per cent had inadequate roofing and were damp and low-lying. Furthermore, nearly 59 per cent of these dwellings had less than the minimum requirement of 300 cubic feet of air space per person. Like Turbott, Pōmare recorded that most houses were still very clean despite their structural deficits.¹²

The Department of Native Affairs carried out a national housing survey in 1937. This survey examined thousands of mostly rural Māori homes and found that 59 per cent were overcrowded, 36 per cent were

⁹ Matthew Rout and Grace Walker, ‘An Exploration of the Māori Housing-Health Nexus During the Mid-Twentieth Century’, *New Zealand Population Review*, 47, 2021, p. 75

¹⁰ H.B. Turbott, *Tuberculosis in the Maori: East Coast, New Zealand*, Wellington: Government Printer, 1935, p. 9, p. 43

¹¹ Turbott, *Tuberculosis in the Maori: East Coast, New Zealand*, p. 44; H.B. Turbott, ‘Health and Social Welfare’ in I.L.G. Sutherland (ed.), *The Maori People Today: A General Survey*, Christchurch: Whitcombe and Tombs, 1940, p. 245; See also Mark Krivan, ‘The Department of Maori Affairs Housing Programme, 1935–1967’, Massey University, MA thesis, 1990, p. 22

¹² Tony Nightingale, ‘Rehousing Tauranga Maori 1935–72’, 1996, (Wai 215, #A41), pp. 6-7; See also Claudia Orange, ‘A Kind of Equality: Labour and the Maori People 1935–1949’, MA thesis, University of Auckland, 1977, p. 87; Krivan, ‘The Department of Maori Affairs Housing Programme, 1935–1967’, p. 22

damp or dark, and 45 per cent lacked adequate water supplies.¹³ In the Māori communities of Whakarewarewa, Tarewa, and Ōhinemutu, most dwellings surveyed were described as ‘needs repairs’ or ‘in bad state’. Many of these dwellings lacked a flushing toilet, sink, or laundry facilities, and had an unsatisfactory water supply. This survey also described the extent of overcrowding in some of these dwellings. One house had eleven adults and three children in one bedroom, and another had two bedrooms for twelve adults.¹⁴

A housing survey on the East Coast of the North Island during the same year revealed similar substandard conditions for unemployed Māori in this district. A district employment officer and a building inspector visited 177 houses and farms in the Māori communities of Muriwai, Manutuke, Waituhi, Waihirere, and Whangara to report on housing conditions to the Acting Minister of Native Affairs, Frank Langstone. These officials recommended that many houses should be renovated or pulled down and replaced. Their survey also revealed that numerous dwellings lacked adequate cooking facilities, windows, flooring, sanitary conditions, water supplies, and often needed painting, new roofs, rainwater tanks or freshly dug wells, and stoves. These officials blamed a lack of money for these housing conditions and stated that multiple dwellings were ‘not fit for habitation’.¹⁵ The surveys would help precipitate a more sustained approach by the Crown towards Māori housing.

Population censuses also informed the Crown about Māori housing conditions. The 1936 Māori Census instructed the householder or ‘person in charge of dwelling’ to record their address, whether it was ‘a house, boarding house, tent or camp’ etc, how many rooms in the dwelling (excluding bathrooms, washhouses, etc), and whether it was rented or owned.¹⁶ According to this census, approximately 40 per cent of Māori houses had two rooms or fewer while averaging more than five inhabitants.¹⁷ This was in contrast to the general population census, which recorded that only 6.9 per cent of dwellings had two rooms or fewer with an average of 3.51 occupants per dwelling.¹⁸ The Māori Census classified more than 4,000 households as living in a one or two-roomed dwelling, a ‘slab-hut’ (519), or a tent (385), out

¹³ Rout and Walker, ‘An Exploration of the Māori Housing-Health Nexus During the Mid-Twentieth Century’, pp. 75-76; Ferguson, ‘Background Report for the Wai 60 Claim’, pp. 34-35; Krivan, ‘The Department of Maori Affairs Housing Programme, 1935–1967’, pp. 22-23

¹⁴ ‘Housing Survey’, pp. 532-537, Housing – Survey of Maori Housing – Ohinemutu Housing Survey, 1937 – 1944, R11840008, Archives NZ, Wellington

¹⁵ ‘Report on conditions of unemployed Maoris in the Poverty Bay District’, 19 March 1937, pp. 1-17, Maori Housing- General – Native Housing Act, R18797995, Archives NZ, Wellington

¹⁶ Census and Statistics Department, *Dominion of New Zealand Population Census, 1936: Vol. III – Maori Census*, Wellington: Government Printer, 1940, p. vi

¹⁷ Census and Statistics Department, *Dominion of New Zealand Population Census, 1936: Vol. III – Maori Census*, p. vi; See also Orange, ‘A kind of equality’, p. 87

¹⁸ Census and Statistics Department, *Dominion of New Zealand Population Census, 1936: Vol XIII – Dwellings and Households*, p. ii, p. 29

of a total of 13,793 Māori dwellings. Nevertheless, this census stated that the housing situation for Māori was ‘not as bad as it seems’ because a significant number of dwellings with only one or two rooms were ‘equivalent to a building of some size undivided into rooms’. The lack of information about the size of these homes makes it difficult to assess this claim. According to this census, 70.51 per cent of Māori homes were owner-occupied and Māori living in rural areas were more likely to live in owner-occupied homes (75.04 per cent) than those in urban areas (34.74 per cent).¹⁹

The 1945 census expanded on earlier censuses by collecting information about housing amenities. This census included slightly more than 86 per cent of the Māori population in the Māori census category with the rest of the Māori population included in the ‘ordinary (European) Person and Dwelling Schedules’. According to this census, there was now an average of 5.7 occupants per Māori household, but this excluded those in temporary dwellings.²⁰ The 1945 census also recorded that out of 15,780 permanent Māori dwellings, 8,592 households lived in owner-occupied houses, 4,930 were renting, and 2,144 lived in rent-free dwellings. The tenure type was not specified for 114 households.²¹ This census had the same four questions about Māori dwellings as the 1926 and 1936 censuses, but also asked an additional question about household amenities:

Has this dwelling the following? (Answer “Yes” or “No” to each question.) Mehemea kei te whiwhi te whare i nga mea e whai ake nei? (Tuhia te “Ae,” te “Kao” ranei ki ia patai.) (a) Electric light. He raiti hiko. (b) Water laid on. He wai-a-paipa. (c) Rain-water tanks. He wai-ataika (tank). (d) Hot-water service. He wai wera. (e) Bathroom. Ruuma kaukau. (f) Flush toilet. He wai whakatahi paru o te whare iti.²²

The responses to this question about health-related household amenities and the similar questions in the general census provide an insight into housing inequities faced by Māori. Collated responses to this question excluded those living in temporary dwellings and found that out of 15,780 permanent Māori dwellings, 5,584 had electric light, 5,273 had a piped water supply, 8,231 had a rainwater tank, 3,133 had plumbed-in hot water, 5,644 had a bathroom, and 2,122 had a flush toilet. In contrast, the 403,334 permanent dwellings for the general population included 302,898 with hot water service, 280,721 with a flush toilet, 317,736 with a piped water supply, 369,082 with a bath or shower, and 373,728 with electricity (see Table 3.1 for a comparison of these amenities in Māori and non-Māori dwellings). The number of occupants per permanent dwelling for the general population had declined to 3.6 from 3.9 in

¹⁹ Census and Statistics Department, *Dominion of New Zealand Population Census, 1936: Vol. III – Maori Census*, p. vi; See also Orange, ‘A kind of equality’, p. 87

²⁰ Census and Statistics Department, *Dominion of New Zealand Census 1945: Maori Census Vol. III*, Wellington: Government Printer, 1950, p. 48

²¹ Census and Statistics Department, *Dominion of New Zealand Census 1945: Maori Census Vol. III*, p. 51

²² Census and Statistics Department, *Dominion of New Zealand Census 1945: Maori Census Vol. III*, pp. iv-v

the 1936 census, compared to 5.8 (1936) and 5.7 (1945) for Māori dwellings. When the 1945 census data was gathered, 44,081 Pākehā and 1,300 Māori were serving overseas in the Armed Forces and thousands of other members of the Armed Forces were ‘in camps, stations, or on demobilization leave’, which would have made the occupancy rates for dwellings lower than if these servicemen were living at home.²³

Table 3.1: Amenity percentages calculated by Mark Krivan
‘The Department of Maori Affairs Housing Programme, 1935-1967’, Massey University, MA thesis, 1990, p. 56
drawing on data from 1945 census

Lack of amenity	Māori dwellings	General population dwellings
Water supply not laid on	66.5 per cent	21 per cent
No hot water supply	80 per cent	24.8 per cent
No bathroom facilities	64.1 per cent	8.4 per cent
No flush toilet	86.5 per cent	30.2 per cent

Housing surveys during the 1940s showed that Māori homes continued to often lack sanitary facilities and running water, and were more likely to be overcrowded with inadequate ventilation.²⁴ In his research report for the Mangatū Remedies district inquiry, Anthony Pātete described the housing survey carried out at Mangatū Pā in 1948. Many of these homes were overcrowded, lacked bathrooms, had earth floors, and two had no windows. This survey discussed how despite some of these dwellings’ occupants receiving income from the Mangatū Incorporation, they were still unable to access government housing loans because their land was held under communal title and they did not have an individual title to a housing site. Pātete stated that government welfare officers were aware of these substandard housing conditions and attempted to assist Māori with obtaining housing loans under the provisions of the Native Housing Act 1935, ‘but owing to the (communal) title difficulties no progress was made’.²⁵ It is unclear whether communal title was the sole reason for the lack of progress in addressing this community’s housing needs.

²³ Census and Statistics Department, *Dominion of New Zealand Census 1945: Maori Census Vol. III*, p. 52; Census and Statistics Department, *Dominion of New Zealand Census 1945: Vol. XI – Dwellings and Households*, Wellington: Government Printer, 1952, p. ii, p. v p 32, p.38; See also Rout and Walker, ‘An Exploration of the Māori Housing-Health Nexus During the Mid-Twentieth Century’, p. 76; Fiona Cram, Beverly Te Huia, Tracee Te Huia, Melissa Matutina Williams, Nathan Williams, ‘Oranga and Māori Health Inequities 1769–1992’, 2019, (Wai 2575, #B25), p. 87

²⁴ Angela Wanhalla, ‘Housing Un/healthy Bodies: Native Housing Surveys and Māori Health in New Zealand 1930–45’, *Health & History*, 8, 1, 2006, p. 116

²⁵ Anthony Pātete, ‘Ngā Ariki Kaipūtahi and the Mangatū Lands’, 2018, (Wai 1489, #A22), pp. 28-29

3.3 How did the Crown address housing needs on Māori land through its land development schemes, and how effective was this scheme?

The main source of funding for building houses on Māori land remained Sir Āpirana Ngata's land development schemes, which employed approximately 15 per cent of the Māori population by 1936. From 1930 onwards, the Crown provided financial support for Māori to build houses on their land through the 'housing component' of the land development scheme.²⁶ As discussed earlier in this report, Pākehā farmers had received government grants to develop their farms and build farming settlements since the nineteenth century, but it was only under Ngata's land development schemes that the Crown began to provide Māori with financial support to build their local economies through farming and rehousing.²⁷

Ngata's focus was on land development and farming, which meant that he was willing to accept lower-quality dwellings.²⁸ In 1930, Ngata wrote to Te Rangi Hīroa:

There is the danger of a pakeha supervisor with his pakeha standard imposing on a people just out of raupo and ponga shacks a type of dwelling far above their requirements. The greater danger is lest with grass, fencing, water, shed and dwelling completed for him the Maori dairy farmer is left with no future but that of drudgery and slaving to pay off a heavy mortgage and no incentive such as enlarging a house, concreting a dairy, subdividing his farm ...²⁹

Under the schemes, the Crown provided financial support for housebuilding and housing-related infrastructure including water-supplies. For example, government officials reported in 1936 that 'satisfactory progress has been made in the work of ... installing water-supply systems'.³⁰ This report also commented positively on Māori assistance with housebuilding and improvements in children's health after these houses were built.³¹

The native land development schemes only provided housing loans for Māori whose land was part of these schemes, which limited the effectiveness of this government housing assistance. In 1936, only 4 per cent of Māori land was under a development scheme, and this land was occupied by only 12 per

²⁶ Paul Christoffel, 'Education, Health and Housing in the Taihape Inquiry District, 1880–2013', 2016, (Wai 2180, #A41), p. 268

²⁷ See also Fleur Palmer, 'Building Sustainable Papakāinga to Support Māori Aspirations for Self-determination', PhD thesis, Auckland University of Technology, 2016, p. 17

²⁸ Ferguson, *Building the New Zealand Dream*, p. 100; Hearn, 'The social and economic experience of Porirua ki Manawatu Māori', p. 325

²⁹ Āpirana Ngata to Peter Buck, 22 May 1930, in M.P.K. Sorrenson (ed), *Na to hoa aroha: from your dear friend. The correspondence between Sir Āpirana Ngata and Sir Peter Buck 1925–1930*, Auckland: Auckland University Press, 1987, Vol. 2, p. 26

³⁰ 'Report on Native Land Development by Board of Native Affairs', AJHR, G-10, 1936, pp. 1-2

³¹ 'Report on Native Land Development by Board of Native Affairs', AJHR, G-10, 1936, p. 7

cent of the Māori population at this time.³² Figure 3.1 and Figure 3.2 below show the locations of Māori land development schemes in the North Island and South Island in 1939.

Contributors to the 1940 publication *The Maori People Today* reflected on the implementation of the Māori land development schemes during the last decade. Ngata stated that health officers and the Department of Education had seen significant improvements in health as a result of the improved housing and water supplies constructed as part of these schemes. He advocated applying ‘the native land development scheme[s] to all usable native owned lands’, but also acknowledged that the alienation of Māori land accompanied by a growing Māori population meant that these schemes would not be available or practical for all Māori.³³ According to the economist Horace Belshaw:

there is abundant evidence that development schemes have been conducive to improved living standards; in better and more comfortably furnished houses, improved sanitation ... and improved nourishment and health among children ...[are] the most convincing indication of the social value of the development schemes.³⁴

Belshaw stated that the houses built under the scheme were significantly better than the homes that they replaced. He acknowledged that these new dwellings were smaller than most Pākehā farmhouses and were ‘often lacking in storage facilities and amenities’, but still considered that housing built for the land development schemes had provided improved living conditions for approximately one-quarter of the Māori population (see Figure 3.3 below for a photograph of a house built as part of the land development schemes).³⁵

³² Ferguson, *Building the New Zealand Dream*, p. 101; Bruce Stirling, ‘Wairarapa Maori and the Crown; Volume Four: Nonoke, the Struggle’, 2002, (Wai 863, #A51), p. 295

³³ Apirana T. Ngata, ‘Maori Land Settlement’, in I.L.G. Sutherland, *The Maori People Today*, Christchurch: Whitcombe & Tombs, 1940, p. 146, p. 151

³⁴ H. Belshaw, ‘Maori Economic Circumstances’, in I.L.G. Sutherland, *The Maori People Today*, Christchurch: Whitcombe & Tombs, 1940, p. 210

³⁵ Belshaw, ‘Maori Economic Circumstances’, p. 218

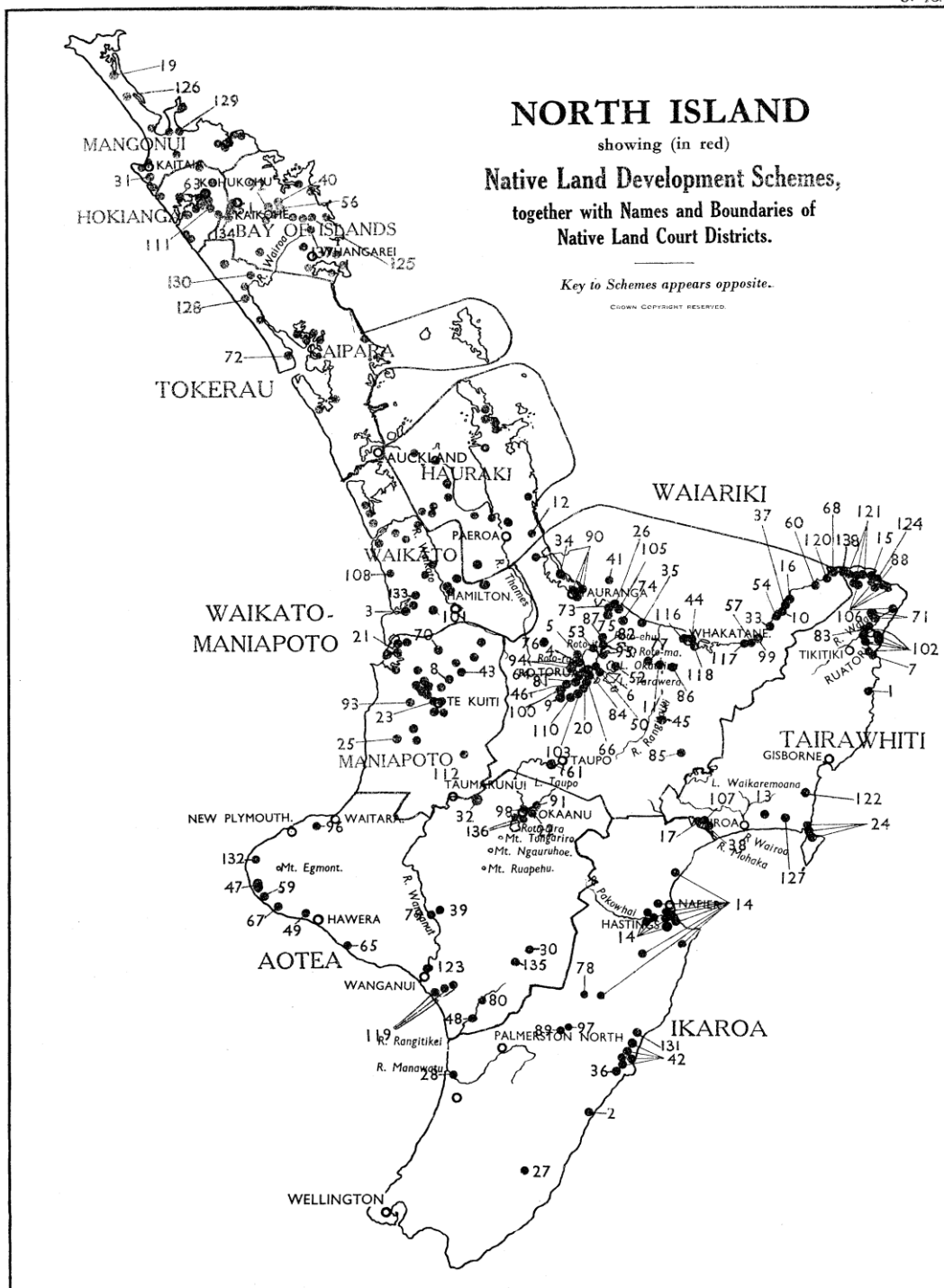


Figure 3.1: 'North Island showing Native Land Development Schemes', AJHR, 1939, G-10, p. 77

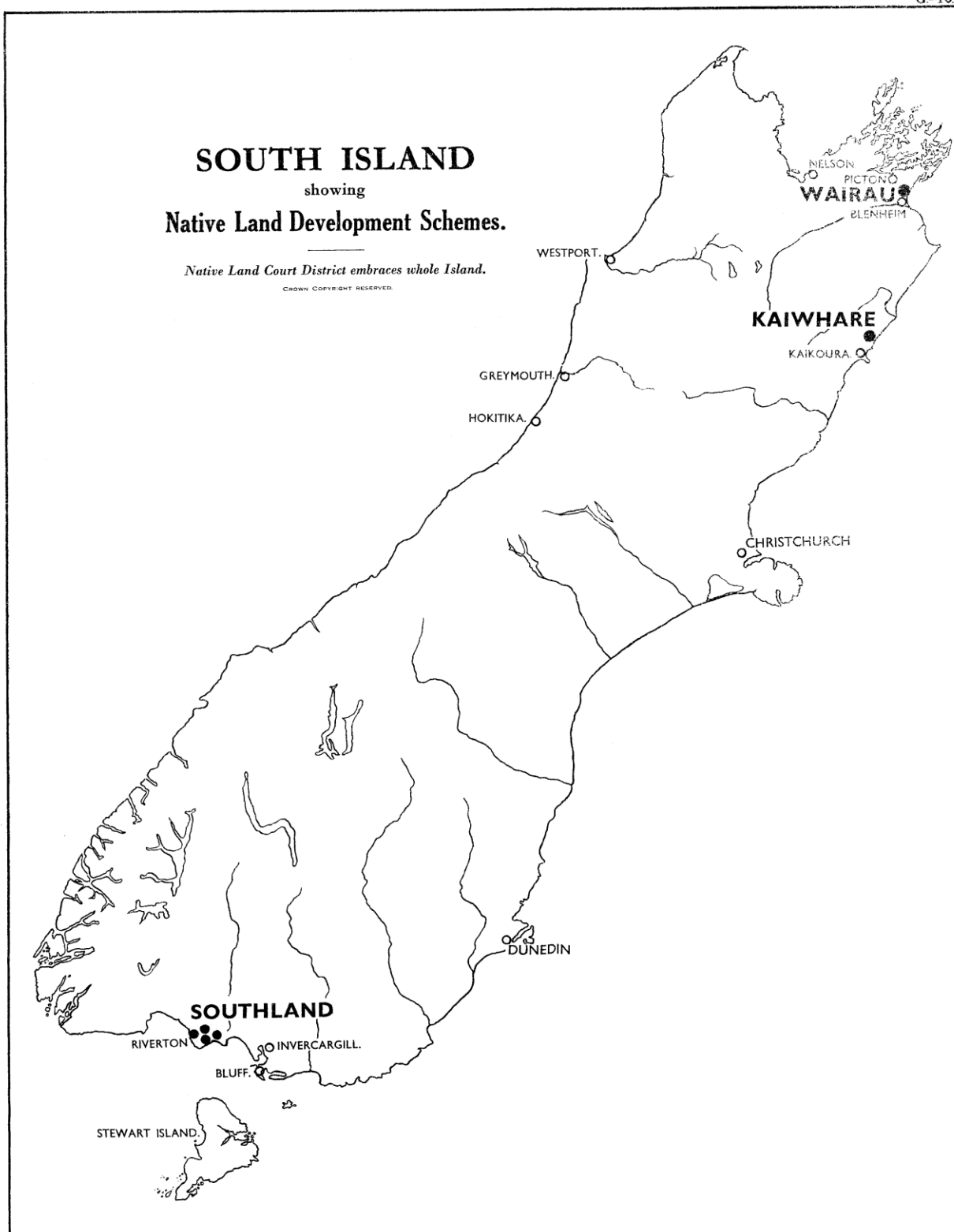


Figure 3.2: 'South Island showing Native Land Development Schemes', AJHR, 1939, G-10, p. 7



TYPE OF DWELLING ERECTED ON WAIAPU-MATAKAOA LAND DEVELOPMENT SCHEME

Figure 3.3: 'Type of dwelling erected on Waiapu-Matakaoa land development scheme', in I.L.G. Sutherland, *The Maori People Today*, Christchurch: Whitcombe & Tombs, 1940.

It would appear that Belshaw was significantly overstating the land development schemes' effectiveness in improving housing conditions on Māori land. By 31 March 1940, these schemes had constructed, purchased, or renovated 1,592 houses for a population of approximately 100,000 Māori.³⁶ In his thesis on the Māori Affairs housing programmes, Mark Krivan argued that by 31 March 1940 all forms of government housing support for Māori could only have provided loans for new homes for 'at the very most perhaps 10% of the Maori population' using the 1936 Māori census occupancy rate of 5.8 persons per dwelling.³⁷

³⁶ 'Report on Native Land Development and provision of houses for Maoris, including employment promotion', AJHR, 1940, G-10, p. 5; See also Krivan, 'The Department of Maori Affairs Housing Programme, 1935–1967', p. 46

³⁷ Krivan, 'The Department of Maori Affairs Housing Programme, 1935–1967', p. 46

It is clearer that the land development schemes provided the majority of funding for improvements in housing on Māori land during the late 1930s. Krivan stated that the land development schemes accounted for 80 per cent of the houses built for Māori between 1936 and 1940 and more 90 per cent of Māori living in houses built with government loans were participants in the land development schemes ‘or their dependents’.³⁸ Bruce Stirling similarly maintained that ‘despite the 1935 and 1938 legislation, the burgeoning land development schemes remained the main source of new Maori houses’.³⁹

Opinions varied as to the benefits of this housing initiative. Some commentators praised the improvement in living conditions for those rehoused through the land development schemes.⁴⁰ However, others criticised the government’s ‘apparent willingness’ to build houses of a much lower standard for Māori than those built for Pākehā at this time. One critic described these new dwellings as ‘little more than glorified cowsheds’.⁴¹ According to Gael Ferguson, the Public Works Department, which was primarily responsible for designing and constructing these houses, also questioned their quality.⁴² Ferguson suggested that Ngata may have been ‘wary of forcing Pakeha-type housing on people used to the traditional forms of the kainga’. Nevertheless, she acknowledged that while the land development schemes ‘did not focus directly on housing improvement’, the schemes did fund the construction of better housing by providing some Māori landowners with government housing loans.⁴³

Other historical assessments have found that the land development schemes were important for creating a precedent for increased government involvement in improving Māori housing conditions. According to Krivan, the land development schemes were ‘significant ... because the dwellings were built with state credit’, which established ‘a precedent for state responsibility for Maori housing’ and the Department of Māori Affairs’ work to improve the conditions of Māori housing. These land development schemes provided Māori Affairs with knowledge to expand on when it implemented the Native Housing Act’s housing programme in the second half of the 1930s.⁴⁴ Similarly, Paul Christoffel argued:

³⁸ Krivan, ‘The Department of Maori Affairs Housing Programme, 1935–1967’, p. 41, p. 46

³⁹ Stirling, ‘Wairarapa Maori and the Crown’, p. 312

⁴⁰ ‘Annual Report of Director-General of Health’, AJHR, H-31, 1930, p. 39; ‘New Maori Settlement’, *Wanganui Chronicle*, 15 June 1939, p. 12; Belshaw, ‘Maori Economic Circumstances’, p. 210

⁴¹ ‘Maori housing’, *Auckland Star*, 29 May 1939, p. 8

⁴² Ferguson, *Building the New Zealand Dream*, p. 100

⁴³ Ferguson, *Building the New Zealand Dream*, p. 100

⁴⁴ Krivan, ‘The Department of Maori Affairs Housing Programme, 1935–1967’, p. 21

Ngata developed a housing proposal more appropriate for Māori and the Government eventually accepted that State funds should be used to help finance Māori housing improvements ... The development schemes had set a precedent. The eventual result was the Native Housing Act 1935.⁴⁵

The Waitangi Tribunal has made findings on the land development schemes' housing on Māori land in its Te Urewera and Tauranga Moana district inquiries. In the *Te Urewera* report, the Waitangi Tribunal found that

the development scheme houses were extremely basic. Most were quite small, despite the large whanau common at this time, and lacked basic amenities such as running water, toilets and bathrooms ... [but] ... were still an improvement on previous housing, at least initially ... The development scheme houses, unlike most previous accommodation in Te Urewera, were weatherproof, lined, had iron roofs, were on pilings rather than the ground, had bedrooms and kitchens, and, from the late 1930s, bathrooms.⁴⁶

The Tribunal found in the *Tauranga Moana Report* that many houses were built on Māori land under the land development schemes throughout the country, but there were delays carrying out these schemes during the early 1930s, and that the Crown did not provide housing assistance to Māori outside of the land development schemes until 1935.⁴⁷

The land development schemes provided capital for the construction of homes on Māori land during the 1930s and 1940s. By March 1949, 2,461 houses had been built, purchased, or renovated under the land development schemes since their inception in 1929.⁴⁸ These houses were praised as an improvement on prior living conditions, but their quality has also been criticised. These schemes created a precedent for increased government involvement in improving housing conditions on Māori land.

3.4 What kind of housing assistance programmes were available for building homes on Māori land under the Native (later Māori) Housing Act 1935 and its 1938 amendment, and how effective were these targeted programmes for Māori?

Under the provisions of the Native Housing Act 1935 and Native Housing Amendment Act 1938, the Department of Native Affairs (the Department of Māori Affairs after 1947) provided housing loans to enable Māori to build or repair houses on their own land. The Native Housing Act 1935, initiated by the United-Reform coalition government and continued by the Labour government, established the Native Housing Programme which enabled the Department of Native Affairs' Board to lend money to

⁴⁵ Paul Christoffel, 'Historical Māori Housing 1840–1934', 2022, (Wai 2750, #A9), p. 178

⁴⁶ Waitangi Tribunal, *Te Urewera*, Vol. 8, p. 3681

⁴⁷ Waitangi Tribunal, *Tauranga Moana, 1886–2006: Report on the Post-Raupatu Claims*, pp. 753–754

⁴⁸ 'Annual Report of the Board of Maori Affairs', AJHR, G-9, 1949, p. 25

improve rural Māori housing conditions. Under this programme, the Department of Native Affairs provided mortgages of up to £750 to Māori families to have houses built on their own land or to improve existing homes.⁴⁹ The legislation was partially in response to Māori housing surveys, which had uncovered many rural Māori families living in overcrowded and insanitary conditions.⁵⁰

In 1934, Ngata stated that Māori were calling for a new government housing scheme to address their communities' housing needs. During parliamentary debates, Ngata explained that Māori from around New Zealand were personally asking him and other Māori MPs: 'What is the Parliament of New Zealand going to do [for Māori housing]?'⁵¹ Ngata submitted proposals to the Prime Minister George Forbes for a new housing programme for Māori, which would provide houses for Māori on the same basis as the Advances to Workers scheme had provided government housing assistance for Pākehā since the early twentieth century. This planned scheme would provide government housing loans to Māori who could afford a deposit and repayments for a fifteen-to-twenty-year mortgage. Ngata did not plan to assist Māori living in poverty until later. Michael Joseph Savage, the Leader of the Opposition, did not object to Ngata's plan, but argued that it 'did not go far enough'. The Treasury and the Board of Native Affairs wanted Māori funds to pay for this proposed scheme like the earlier Native Trustee scheme, but Ngata doubted that these resources would be sufficient to meet Māori housing needs.⁵²

In June 1935, Forbes announced his government's intention to pass legislation to help Māori build better homes. This was in response to numerous requests (including from Ngata) for a government housing programme to help Māori who lacked sufficient capital to build new homes. His government's proposed scheme would be similar to how the Te Arawa Trust Board had arranged a loan of £2,000 from the State Advances Office to improve Māori housing conditions. The Te Arawa Trust Board had arranged for Māori landowners to use rents received for their land to repay this government housing loan.⁵³

The provisions of the Native Housing Act 1935 stated that the Board of Native Affairs could loan money to Māori to build, repair, alter, or improve housing and necessary infrastructure including installing or repairing 'a system of lighting, heating, sanitation, water-supply, or other conveniences'. These loans

⁴⁹ 'Native Land Development and the Provision of Houses for Maoris', AJHR, G-10, 1938, p. 7; Ferguson, *Building the New Zealand Dream*, p. 115; Wanhalla, 'Housing Un/healthy Bodies: Native Housing Surveys and Māori Health in New Zealand 1930–45', p. 104

⁵⁰ 'Native Land Development and the Provision of Houses for Maoris', AJHR, G-10, 1938, p. 6; See also Wanhalla, 'Housing Un/healthy Bodies', p. 101, p. 103, pp. 105-110

⁵¹ NZPD, Vol. 230, 1934, p. 1182

⁵² 'Native Land Schemes', *Press*, 1 April 1935, p. 12; See also 'Native Department administration criticised', *Otago Daily Times*, 1 April 1935, p. 6; Hearn, 'The social and economic experience of Porirua ki Manawatu Māori', p. 331, pp. 327-328

⁵³ Hearn, 'The social and economic experience of Porirua ki Manawatu Māori', p. 331; See also 'Maori shanties', *Auckland Star*, 27 June 1935, p. 8

could also be used to prepare land for housing construction. Furthermore, these government housing loans were secured by a mortgage on Māori land, a legal agreement to provide a portion of money from future land sales, or ‘the sale of dairy produce or other produce of land’. The Board of Native Affairs could also approve other forms of security.⁵⁴ Regulations for this legislation also specified:

If the borrower desires a dwelling to be erected otherwise than according to plans and specifications decided on by the Board, he shall at his own cost cause proper plans and specifications to be prepared, and shall submit the same for the Board’s approval, and the Board may in its discretion reject the same or approve the same with or without modification ... The Board may, in all cases, direct or require the preparation of such contracts, tenders, specifications, or other instruments relating to the purposes for which an advance is made as in the circumstances it deems desirable, whether in respect of services, materials, or both.⁵⁵

Applicants for a housing loan under this legislation had to provide their full name, occupation, amount of money required, purpose of their loan (to repair or build a house), and the location, description and the owners of the land on which they planned to build.⁵⁶ They were also asked the size and type of dwelling required. If the advance was ‘to effect repairs, alterations, or renovations’ then applicants needed to describe their home’s location, the land on which it was built, the number of rooms in the house, and the repairs that needed to be carried out. Applicants were also asked their age, their marital status, and children’s details. If they had any other dependants, then they needed to provide the name, relationship, age, sex, and extent of dependency. They also had to supply details about their employment including how long they had been in their current position and their weekly wages or salary. If they received rent or lease payments for their land, then they also had to provide the amount and details about this land, and whether the rent was paid directly or through the Maori Land Board, Native Trustee or East Coast Commissioner. Applicants were required to provide information about their wife or husband’s income and any other income. The application form also asked what land they or their spouse owned and what proportion of their income that they and their spouse were willing to put towards loan

⁵⁴ Native Housing Act [1935, No. 34. 26 GEO. V], p. 212; O.N. Campbell, ‘The Memorandum for the guidance of Applicants for Loans under the Native Housing Act 1935, 4 November 1937, p. 1, Housing Regulations under Maori Housing Act 1936, R19528133, Archives NZ, Wellington

⁵⁵ ‘Regulations under the Native Housing Act, 1935 with respect to the housing of the Maori People’, 24 December 1936, p. 5, Housing Regulations under Maori Housing Act 1936, R19528133, Archives NZ, Wellington

⁵⁶ ‘Application for an advance (Under the Native Housing Act, 1935)’, p. 1, Housing Regulations under Maori Housing Act 1936, R19528133, Archives NZ, Wellington

repayments.⁵⁷ Applicants needed to apply to the Maori Land Board in their district for these loans. The Board would then make inquiries and determine whether to grant a housing loan.⁵⁸

Ideas about health shaped the design of these houses, but not all of these ideas could be implemented due to the need for housing repayments to be affordable. According to a 1937 memorandum to the Native Affairs Board, floor space in the form of both ‘sleeping porches and rooms’ was the most important factor for applicants with large families. The memorandum also proposed that all Native Affairs houses should include built-in furniture including kitchen cupboards and wardrobes.⁵⁹ This was standard in state houses and was desirable from a health perspective because it prevented dust from gathering underneath standalone kitchen storage or wardrobes. The memorandum also stressed that all of these houses should have a bath with piped hot-water supply.⁶⁰ However, the high cost of hot-water tanks and associated plumbing meant that many Native Affairs houses built during the late 1930s did not include plumbed-in hot water.⁶¹ This was in contrast to contemporary state houses (only available to Pākehā families from 1937 until the mid-1940s) which all had piped hot water.⁶² As discussed in more detail later in this chapter, state housing policy did not explicitly exclude Māori, but it appears that in practice Māori were referred to the Native Affairs Department for housing assistance during this period.

The Public Works Department provided the initial housing plans for Native Affairs houses and revised housing designs for some Māori communities in response to their negative feedback. In 1937, some Māori in the Tairāwhiti district raised concerns with the housing plans provided by the Public Works Department. In particular, they were concerned that the designs did not include enough bedrooms for the price of the house. They wanted to prioritise extra bedrooms over sinks, washhouses (laundries), sculleries, and built-in wardrobes. In response to their feedback, the local Public Works office provided new lower cost housing plans with more bedrooms. These new designs would cost £298 for a three-bedroom home or £204 for a two-bedroom home and were more affordable than this department’s earlier housing plans for three-bedroom dwellings costing £525 to £530.⁶³ Some Māori from Ōhinemutu

⁵⁷ ‘Application for an advance (Under the Native Housing Act, 1935)’, p. 10, Housing Regulations under Maori Housing Act 1936, R19528133, Archives NZ, Wellington

⁵⁸ O.N. Campbell, ‘The Memorandum for the guidance of Applicants for Loans under the Native Housing Act 1935, 4 November 1937, p. 1, Housing Regulations under Maori Housing Act 1936, R19528133, Archives NZ, Wellington

⁵⁹ John Harvey, ‘Memorandum’, 25 March 1937, pp. 3-4, Maori Housing – General - Native Housing Act 1935, R18797995, Archives NZ, Wellington

⁶⁰ Harvey, ‘Memorandum’, pp. 3-4

⁶¹ ‘Native Land Development and the Provision of Houses for Maoris’, AJHR, G-10, 1940, p. 6

⁶² ‘State Advances Corporation of New Zealand’, AJHR, B-13a, 1937, p. 28; See also Schrader, *We call it home*, pp. 92-94

⁶³ Krivan, ‘The Department of Maori Affairs Housing Programme, 1935–1967’, pp. 35-37

near Rotorua also disliked Public Works Department's proposed housing plans. They were successful in changing a housing plan for their community to one that would include Māori 'architectural features' in the front of the building while still including 'up-to-date amenities for the occupier'.⁶⁴

By 1938, the Public Works Department had prepared approximately 12 plans for Native Affairs houses. Three of these plans were commonly used for dwellings with two, three, or four rooms. All plans included a living room and a bathroom, which was often combined with a washhouse. These houses were designed to reduce building costs to keep them affordable. The average loans for them were around £250 to £300. Some of these houses were planned so families could build on extra rooms in the future. While these dwellings were an improvement for many families, overcrowding could still occur in these new homes especially for those with large families.⁶⁵ Many of these houses were too small for their number of inhabitants and lacked adequate sanitary facilities due to the need to keep loan repayments affordable.⁶⁶

The Native Affairs Board published a progress report in 1938 about their housing programmes. This report acknowledged that poverty, skilled labour shortages, 'defective land titles, multiplicity of ownership, [and] insufficient security' had hindered their progress.⁶⁷ Nevertheless, the report noted that, with the help of the Public Works Department, these problems were beginning to be resolved. From 1 January 1937 to 31 March 1938, 671 houses were built on Māori land in rural areas under the Native Housing Act, the Native Housing Amendment Act 1938, and the land development schemes.⁶⁸ In 1936, the Māori population of New Zealand was approximately 82,000 so this was much slower progress than required when many Māori were living in unhealthy housing conditions.⁶⁹

⁶⁴ 'New Maori Homes Begun', *New Zealand Herald*, 16 October 1937, p. 21; See also Krivan, 'The Department of Maori Affairs Housing Programme, 1935–1967', p. 37

⁶⁵ 'Native Houses', *New Zealand Herald*, 18 January 1938, p. 14; 'Housing the Maori', *Northern News*, 21 January 1938, Clipping, Maori Housing – General – Native Housing Act 1935, R18797995, Archives NZ, Wellington; See also Arbury, 'A Healthy Home? Housing and Health in Tāmaki Makaurau/Auckland 1918–1949', p. 270

⁶⁶ Robinson, 'Te taha tinana', p. 103

⁶⁷ 'Native Land Development and the Provision of Houses for Maoris', AJHR, G-10, 1938, p. 6

⁶⁸ 'Native Land Development and the Provision of Houses for Maoris', AJHR, G-10, 1938, p. 6; See also Wanhalla, 'Housing Un/healthy Bodies', pp. 104-105

⁶⁹ Ian Pool and Tahu Kukutai, 'Taupori Māori – Māori population change - Population changes, 1769–1840', *Te Ara - the Encyclopedia of New Zealand*, <http://www.TeAra.govt.nz/en/interactive/31311/maori-population-1841-2013> (accessed 18 January 2023)

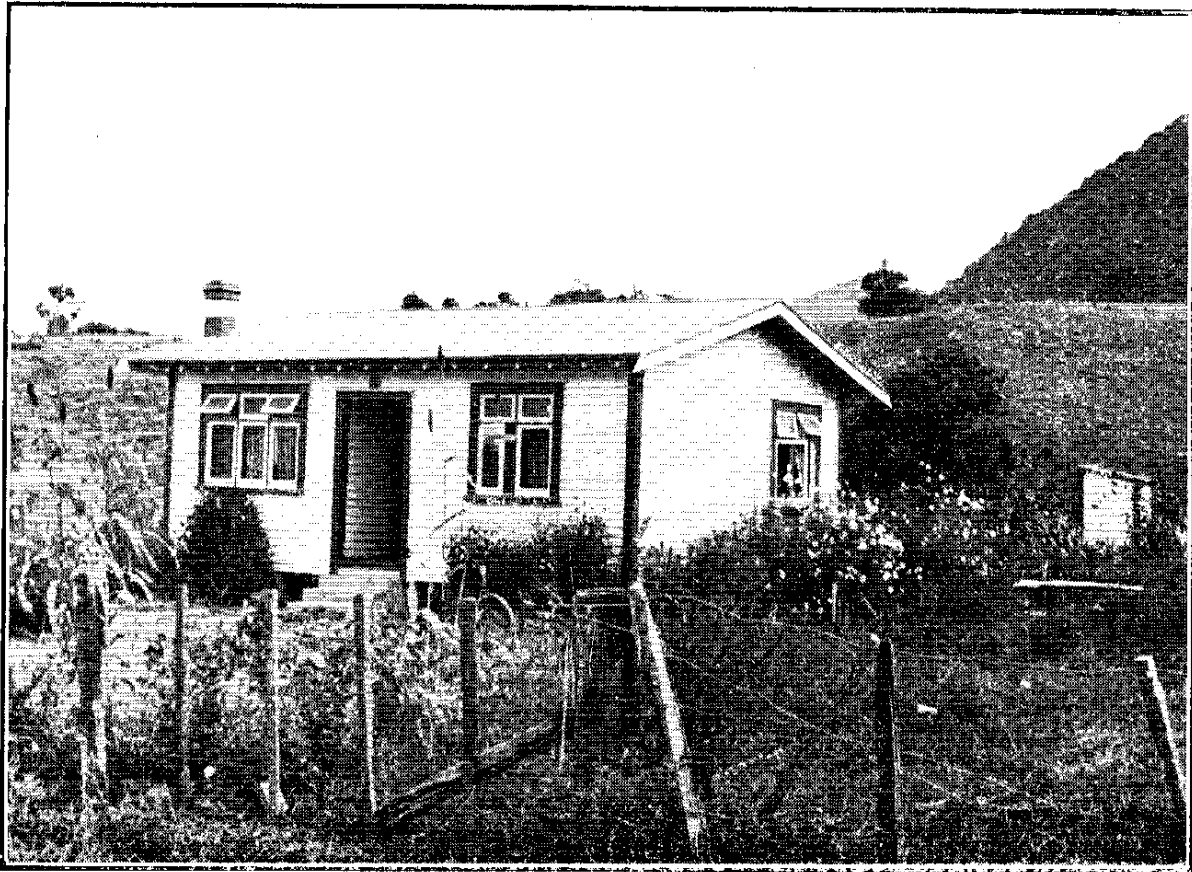


Figure 3.4: 'No. 5 Hokianga Scheme: An Old-Age Pensioner's Cottage, built by Native Labour under the "Special" Housing Scheme, *AJHR*, G-10, Vol. II, 1939, p. 78

The Native Housing Amendment Act 1938 established a special housing fund to help destitute Māori families who were ineligible for the housing constructed under the provisions of the Native Housing Act 1935. This fund provided grants for house deposits or repayments to Māori who met its strict criteria.⁷⁰ The demand for this fund rapidly exceeded the £50,000 initially allocated and had to be increased to £100,000 within a few months.⁷¹ According to Gael Ferguson, this amendment to the Native Housing Act 1935 'was passed only reluctantly as politicians realised the impossibility of providing houses without some concessions'.⁷² Bruce Stirling stated that the 1938 Amendment Act enabled the Board of Native Affairs to waive interest payments for impoverished cases and 'eventually

⁷⁰ Native Housing Amendment Act 1938, (2 GEO VI 1938 No 17), p. 226; 'Native Land Development and the Provision of Houses for Maoris', *AJHR*, G-10, 1938, p. 6; Native Housing Amendment Act 1938, (2 GEO VI 1938 No 17), p. 226; See also Wanhalla, 'Housing Un/healthy Bodies: Native Housing Surveys and Māori Health in New Zealand 1930-45', pp. 104-105; Stirling, 'Wairarapa Maori and the Crown', p. 310

⁷¹ Hearn, 'The social and economic experience of Porirua ki Manawatu Māori', p. 349; Robinson, 'Te taha tinana', p. 103

⁷² Ferguson, *Building the New Zealand Dream*, p. 150, p. 164

funds lent under the 1938 amendment were interest-free, this being the only concession made to indigent Maori'.⁷³ When the Department of Native Affairs used this special housing fund to build houses, it provided opportunities to train Māori to become carpenters. This was an attempt to address the shortage of trained tradespeople.⁷⁴

While there does not appear to be any evidence of research into the tikanga implications of the Native Housing schemes, the Native Affairs Department did consider incorporating traditional Māori building materials into the schemes' dwellings. This is demonstrated by a 1939 letter by the Acting Minister of Native Affairs Rex (H.G.R) Mason, which detailed a research mission to Ngāruawāhia to consult Te Puea about building materials for the native housing schemes. In this letter Mason stated: 'I am convinced that the solution of the Maori housing problem lies in the employment of Te Puea's ideas. It combines a judicious combination of Maori and Pakeha elements to secure a convenient and comfortable habitation suited to Maori ideas, sanitary and economical'.⁷⁵ Mason's letter was part of a wider line of inquiry with the Department of Scientific & Industrial Research and the Dominion Museum that examined potential treatments of traditional Māori building materials, such as raupō, to increase fire and vermin resistance.⁷⁶ Evidence could not be found as to why these materials were not widely adopted.

In 1946, the Department of Native Affairs raised its specifications for its housing programmes to comply with the New Zealand Standard Code of Building By-laws (created in 1935).⁷⁷ This was in response to pressure from government officials' reports for Māori government housing to be built to the same standard as all new houses. The new specifications followed the national building code and made piped water supplies, flush toilets, and full bathroom and washhouse facilities mandatory for all houses financed by this Department.⁷⁸ These requirements also stipulated that low-lying and damp sites should be avoided. Ventilation was also an important consideration. It was mandatory that at least half of the windows could be opened, and it was advised that windows be arranged to promote cross

⁷³ Stirling, 'Wairarapa Maori and the Crown', p. 310

⁷⁴ 'House Loans Approved', *Poverty Bay Herald*, 25 May 1938, p. 4

⁷⁵ H.G.R. Mason, 'Memorandum for the Under Secretary for Native Affairs', 1 August 1939, Native Housing – Use of Raupo & Punga, 1939, R419125, Archives NZ, Wellington

⁷⁶ Mason, 'Memorandum for the Under Secretary for Native Affairs', 1 August 1939; O.N. Campbell, 'Memorandum for the Secretary, Department of Scientific & Industrial Research', 4 August 1939, Native Housing – Use of Raupo & Punga, 1939, R419125, Archives NZ, Wellington; H.G.R. Mason, 'Memorandum for the Under Secretary for Native Affairs', 13 September 1939, Native Housing – Use of Raupo & Punga, 1939, R419125, Archives NZ, Wellington

⁷⁷ 'The Development and Settlement of Native Lands and the Provision of Houses for Maoris', *AJHR*, G-10, 1946, p. 37; Arbury, 'A Healthy Home? Housing and Health in Tāmaki Makaurau/Auckland 1918–1949', p. 295

⁷⁸ Arbury, 'A Healthy Home? Housing and Health in Tāmaki Makaurau/Auckland 1918–1949', p. 295; See also Waitangi Tribunal, *Te Urewera*, Vol. 8, p. 3549

ventilation. With the aim of reducing tuberculosis and to provide other health benefits, the specifications instructed that windows be positioned to capture the most possible sunlight, in common with contemporary urban state houses.⁷⁹

In 1949, the Labour Government amended its housing policy for Māori in an attempt to ensure all new homes had sufficient space for their inhabitants and more families could afford the repayments. The Department of Māori Affairs (the newly renamed Native Affairs Department) began to provide a wider range of house plans to accommodate different family types including pensioners and larger families.⁸⁰ This would help prevent overcrowding and include pensioners in the schemes, which had previously focused on families. As part of these changes, Peter Fraser (the Minister of Māori Affairs and Prime Minister) reported that his department would now enable applicants to borrow more money over a longer length of time to make repayments more affordable. Previously, housing loans had to be repaid within 15 years, but this new policy enabled 30-year mortgages. This would help provide better-quality houses for low-income families.⁸¹

Even after the introduction of the Native Housing Act 1935 and its 1938 Amendment Act, the land development schemes continued to provide most government funding for housing on Māori land during the 1930s and 1940s.⁸² The government had constructed, purchased, or renovated 1,592 houses under the land development schemes by 31 March 1940 compared to 171 houses under the 1935 legislation and 197 under the 1938 legislation.⁸³ By 31 March 1949, 2,161 houses had been built under the land development schemes since its inception compared to 1,570 houses under the Native Housing Act 1935 and its 1938 Amendment (929 under the 1935 Act and 644 under the 1938 Act).⁸⁴ According to Gael Ferguson and Angela Wanhalla, the Labour Government had rehoused approximately ten per cent of the Māori population under these schemes by the end of the 1940s. Some contemporary observers argued that the severe housing deprivation revealed by the 1930s housing surveys showed that much more housing assistance for Māori was required while others viewed this as a substantial achievement.⁸⁵ As noted by Wanhalla, although this legislation ‘opened up the possibility of housing to a greater

⁷⁹ ‘The Development and Settlement of Native Lands and the Provision of Houses for Maoris’, AJHR, 1945, G-10, p. 5; J.L. Wells, ‘The History of State Housing Construction in New Zealand’, MA thesis, University of Auckland, 1944, p. 56; See also Arbury, ‘A Healthy Home? Housing and Health in Tāmaki Makaurau/Auckland 1918–1949’, p. 295

⁸⁰ ‘Department of Maori Affairs Annual Report’, AJHR, G-9, 1949, p. 8

⁸¹ ‘The development and settlement of Maori lands and the provision of houses for Maoris’, AJHR, G-10, 1948, p. 12

⁸² ‘Annual Report of the Board of Maori Affairs’, AJHR, G-9, 1949, p. 25

⁸³ ‘Report on Native Land Development and provision of houses for Maoris, including employment promotion’, AJHR, 1940, G-10, p. 5

⁸⁴ ‘Annual Report of the Board of Maori Affairs’, AJHR, G-9, 1949, p. 25

⁸⁵ Ferguson, *Building the New Zealand Dream*, p. 164; Wanhalla, ‘Housing Un/healthy Bodies’, p. 105

number of Maori ... [it] did not solve the problem of multiple ownership of land or the fact that many Maori were landless'.⁸⁶

The Waitangi Tribunal has made findings on Native Affairs housing programmes in multiple district inquiries. In the *Te Tau Ihu Report*, the Waitangi Tribunal found:

Help for improving Maori housing was available from the 1930s, but the programmes were very slow to make an impression on the need. On the evidence available to us, there was a breach of the Treaty principle of equity in terms of the unequal assistance given to Maori in the early decades of social welfare.⁸⁷

In the *Tauranga Moana, 1886–2006, Report on the Post-Raupatu Claims*, the Waitangi Tribunal similarly found:

The new housing schemes made a slow start ... and were then further delayed by the Second World War. For some years, many more houses were built in connection with the land development schemes than the houses provided under the Native housing legislation.⁸⁸

The Waitangi Tribunal found in the *Hauraki Report*:

Because of the complexity of their land titles and doubts among lenders as to their creditworthiness, few Maori had been able to secure private funding for housing. Under the 1935 Act the Board of Native Affairs could lend for this purpose, but repayments were expected to meet interest payments and slowly redeem the capital. For some years, therefore, loans continued to be tied to land, and were usually made only when the borrower had an undivided interest in land or was in receipt of rents which could be assigned against the loan. Few qualified in either sense.⁸⁹

In this report, the Tribunal also made findings about the poor state of housing on Māori land and how it contributed to negative health outcomes.⁹⁰

⁸⁶ Wanhalla, 'Housing Un/healthy Bodies', p. 105

⁸⁷ Waitangi Tribunal, *Te Tau Ihu Report*, Vol. 2, p. 1028

⁸⁸ Waitangi Tribunal, *Tauranga Moana, 1886–2006, Report on the Post-Raupatu Claims*, Vol. 2, p. 754

⁸⁹ Waitangi Tribunal, *Hauraki Report*, Vol. 3, p. 1197

⁹⁰ Waitangi Tribunal, *Hauraki Report*, Vol. 3, p. 1197

3.5 What adverse health impacts for Māori, if any, were linked to inadequate housing and lack of access to housing assistance on Māori land during the 1930s and 1940s?

As noted in previous chapters of this report, inadequate housing has been connected to adverse health impacts since the late nineteenth century. However, it was during this period that medical research, censuses, and Māori housing surveys appear to have contributed to the Crown's increased funding for housing assistance for Māori. During the 1930s, figures showed that the incidence of tuberculosis was approximately ten times greater for Māori than Pākehā. The Health Department appears to have been aware of the connection between higher tuberculosis rates in Māori communities and substandard housing.⁹¹

Government officials continued to make the connection between inadequate and overcrowded housing and higher rates of tuberculosis amongst Māori.⁹² In 1937, Dr Michael Watt, the Director-General of Health, reported that most tuberculosis infections in New Zealand were a result of 'overcrowding in defective houses' along with malnutrition. Poverty was considered a leading cause of tuberculosis for Māori because it led to overcrowded conditions that facilitated the spread of this infectious disease.⁹³

During the early 1930s, Dr Harold Turbott studied the 'clinical, social and housing aspects' of tuberculosis amongst Māori living on the East Coast of the North Island as part of his housing survey discussed earlier in this chapter. His research was published in 1935 as *Tuberculosis in the Maori, East Coast, New Zealand*. This work was well received at the time of publication by both health professionals and politicians. Turbott's work was not intended as an 'isolated study', but instead to inform and shape more research into Māori and tuberculosis, and the treatment and prevention of tuberculosis throughout New Zealand. Three hundred and twenty-three Māori families were included in Turbott's study, which included an assessment of their housing conditions.⁹⁴ Turbott's research found a correlation 'between tuberculosis and damp or dark houses'. He classified dark houses as those without windows or with windows that were 'covered permanently with wood, iron, or heavy sacking'. These houses made up 20.74 per cent of the total dwellings and were considered a health risk for tuberculosis due to the emphasis placed on sunlight for the prevention and treatment of the disease at this time. Of the families

⁹¹ Murton, 'Te Aitanga-a-Mahaki 1860–1960', pp. 537–538; Linda Bryder, "'If preventable, why not prevented?': The New Zealand response to tuberculosis, 1901–1940", in Linda Bryder (ed.), *A healthy country: essays on the social history of medicine in New Zealand*, Wellington: Bridget Williams Books, 1991, p. 109, p. 125; Orange, 'A Kind of Equality', pp. 97–99

⁹² 'Annual Report of the Director-General of Health', AJHR, H-31, 1937, p. 60; See also Bryder, "'If Preventable, Why Not Prevented?': The New Zealand response to tuberculosis, 1901–1940", p. 109, p. 123

⁹³ 'Annual Report of the Director-General of Health', AJHR, H-31, 1937, p. 62

⁹⁴ H.B. Turbott, *Tuberculosis in the Maori, East Coast, New Zealand*, Wellington: Department of Health in conjunction with the Medical Research Council of Great Britain, 1935, p. 11; See also Arbury, 'A Healthy Home? Housing and Health in Tāmaki Makaurau/Auckland 1918–1949', pp. 50–51

with one or more cases of tuberculosis, 22.58 per cent lived in dark houses compared with 20 per cent for families without tuberculosis. His study showed a stronger relationship between tuberculosis and damp housing (15.47 per cent of houses) with 19.35 per cent of ‘tuberculous families’ living in damp homes compared to 13.91 per cent of families without tuberculosis.⁹⁵

The 1937 Committee of Inquiry into Maternity Services reported on substandard housing on Māori land as part of its wider discussions about maternity care and maternal health. Committee members visited some of these dwellings during their inquiry and reported:

Maori housing is bad all through the north, some homes being no more than iron sheds full of holes, with mud floors and no sanitary conveniences, no water and no washing facilities ... Whole families – older people, men, women, and children – are living like this in one dilapidated shed ... Decent housing, with water-supply, washing, and sanitary conveniences is the chief need of the Maori people in the north.⁹⁶

The report also noted that many Māori homes in the Waikato had earth floors, no windows, and lacked water supplies and sanitary conveniences. This made it more difficult for district nurses to maintain hygienic conditions during homebirths and thus increased the risk of negative health outcomes for new mothers.⁹⁷ The committee argued that it was widely recognised by those who had visited Māori communities that housing conditions needed to be urgently improved to reduce the higher Māori rate of maternal mortalities and infections.⁹⁸

During parliamentary debates in 1939, Eruera Tirikātene (the Rātana MP for Southern Māori) called for more government funding to help provide affordable healthier homes for Māori families. He attributed ‘deplorable’ housing conditions to Māori economic inequality and linked these conditions to reduced health outcomes for Māori, especially children. Tirikātene maintained that to raise Māori children ‘that will be physically and mentally strong to resist the ravages of disease and be strong enough to do the work of the future, we must start them off in life in a reasonable degree of comfort’.⁹⁹ He wanted to hold the Labour Government to their earlier promise to ‘rectify many of the wrongs which had been done to the Maori people’ and believed that providing better housing should be their main priority.¹⁰⁰

⁹⁵ Turbott, *Tuberculosis in the Maori, East Coast, New Zealand*, p. 44, p. 46.

⁹⁶ ‘Report of the Committee of Inquiry into Maternity Services’, AJHR, H-31a, 1938, p. 6; See also Bella Savage, Amended Statement of Claim, 1 December 2018, (Wai 2750, #1.1.29), p. 8; Okeroa Rogers and Piriwhariki Tahapehi, Third Amended Statement of Claim, 13 June 2018, (Wai 275, #1.1.36), p. 11

⁹⁷ ‘Report of the Committee of Inquiry into Maternity Services’, AJHR, H-31a, 1938, p. 16

⁹⁸ ‘Report of the Committee of Inquiry into Maternity Services’, p. 97, p. 109

⁹⁹ NZPD, Vol. 254, 1939, p. 375

¹⁰⁰ NZPD, Vol. 254, 1939, p. 376

In May 1939, the conference delegates at the Young Māori Conference discussed problems affecting Māori including housing and health issues.¹⁰¹ Ngata was the president of this conference and Belshaw was the Chair. The Young Māori Committee included Patrick Smyth (a schoolteacher), Raniera Kingi (a farmer), Pango Munro (a teachers' training college student), and Manaha Winiata (a student at the Methodist Trinity College) amongst others. Waikato Māori leader Te Paea Hērangi also attended the conference. Other conference delegates included Māori civil servants, interpreters, university and divinity college students, and clerks. This conference brought them together to find solutions for issues affecting Māori, including housing.¹⁰² Many of these delegates asserted in various ways: 'When there are good homes there will be good health'.¹⁰³ This demonstrates that contemporaries were well aware that adverse health impacts for Māori were connected to inadequate housing and lack of access to housing assistance.

Alongside concerns about housing and health, conference delegates expressed concerns about the need to improve Māori housing conditions. James Rukutai (Ngāti Hikairo), a licenced interpreter and the chair of the Ākarana (Auckland) Māori Association, stated 'the only homes open to the Maori are the ramshackle discards of the pakeha'.¹⁰⁴ O.N. Campbell (the under-secretary for the Department of Native Affairs) described his department's efforts to improve housing on Māori land through its development schemes, the Native Housing Act, and the special housing fund. In spite of these initiatives, Campbell acknowledged that approximately half of the Māori population of 86,000 still lacked adequate housing. He reported to the conference:

Hundreds and hundreds of Maoris all over New Zealand ... are living under appalling conditions. The [Native Affairs] Department is anxious to remedy this situation. The question is to find the appropriate means ... a Conference such as this might well consider on what margin of security it is possible to work, what guarantees may be secured for care and maintenance, what evidence there is that Maoris want individual houses, and what sacrifices they are prepared to make to improve the position.¹⁰⁵

¹⁰¹ 'Report of Young Maori Conference held at Auckland University College, Auckland, 22–26 May 1939', pp. 8–9, pp. 20–23, Report of Young Maori Conference - 22–26 May 1939, R13235510, Archives NZ, Wellington

¹⁰² 'Report of Young Maori Conference held at Auckland University College, Auckland, 22–26 May 1939', p. i, pp. v–vii, p. 2, p. 31

¹⁰³ 'Bound Together', *Auckland Star*, 25 May 1939, p. 13

¹⁰⁴ 'The Maori's Future', *Auckland Star*, 27 May 1939, p. 8; See also Ngāi Tamatea Hapū ki Waiotaha (Whakatōhea), Amended Statement of Claim, 8 June 2018, (Wai 2750, #1.1.20), p. 3; See also Francis McLaughlin, Third Amended Statement of Claim, 13 October 2020, (Wai 2750, #1.1.77), p. 8

¹⁰⁵ 'Report of Young Maori Conference held at Auckland University College', pp. 20–21, Report of Young Maori Conference - 22–26 May 1939, R13235510, Archives NZ, Wellington

Turbott also presented at this conference and provided Māori health statistics to its delegates, which he linked to housing conditions. According to his statistics, the Māori infant mortality rate was 92.17 per 1000 births compared to the Pākehā rate of 31.21 per 1000 births. Tuberculosis and influenza death rates were also much higher for Māori than Pākehā. The Māori tuberculosis mortality rate was 35.71 per 10,000 compared to 3.92 per 10,000 for Pākehā, and the influenza mortality rate was 3.99 per 10,000 for Māori and 0.73 per 10,000 for Pākehā. Turbott also provided statistics from Māori housing surveys that showed that 57 per cent of Māori homes surveyed were overcrowded, 36 per cent were ‘unfit for habitation’, and 45 per cent had an inadequate water supply. Conference delegates shared Turbott’s emphasis on improving housing, and wanted more health education, better water supplies, and improved drainage as these were also connected to improving health.¹⁰⁶

In the 1940 publication, *The Maori People Today: A General Survey*, Turbott made a connection between inadequate housing and negative health outcomes for Māori. He acknowledged that the Native Affairs housing programme had improved housing for some families, but contended that over half of the Māori population (approximately 45,000 people) remained living in unhealthy homes. Turbott described those homes as dark, damp, around one-fifth with earthen floors, frequently lacking drainage or clean water supplies, and often overcrowded. According to Turbott, overcrowded homes encouraged ‘the spread of tuberculosis, influenza, pneumonia, [and] infectious and parasitic skin diseases’. He criticised badly ventilated, damp, and dark houses for increasing the prevalence of tuberculosis and rheumatic fever, and inadequate sanitary facilities for contributing to the frequency of typhoid and dysentery.¹⁰⁷

During the 1940s, unhealthy housing on Māori land persisted despite the government’s Māori housing programme and land development schemes.¹⁰⁸ These conditions led to calls for more government funding for Māori housing to promote health. An example of this was in 1945 when Tiaki Ōmana (Ngāti Kahungunu), the Rātana Labour MP for Eastern Maori, stated: ‘Wretched Maori housing was the real cause of much sickness, and if the scourge of tuberculosis were to be cured, a start must be made from the angle of better accommodation’.¹⁰⁹

Heightened concerns about tuberculosis during the Second World War led to the formation of the Health Department’s Tuberculosis Division, and better housing was one of the potential solutions identified in

¹⁰⁶ ‘Report of Young Maori Conference held at Auckland University College’, pp. 21-22; ‘Bound Together’, p. 13

¹⁰⁷ H.B. Turbott, ‘Health and Social Welfare’, in I.L.G. Sutherland (ed.), *The Maori People Today: A General Survey*, Christchurch: Whitcombe & Tombs, 1940, p. 240, pp. 243-244

¹⁰⁸ ‘A Town Board and a Maori Whare’, *Te Awamutu Courier*, 6 November 1942, p. 3; ‘Native Housing’, *Opotiki News*, 30 July 1943, p. 2; ‘Maori Housing’, *Auckland Star*, 30 September 1944, p. 4

¹⁰⁹ ‘Maori Housing’, *Auckland Star*, 13 July 1945, p. 6

the attempts to deal with this disease.¹¹⁰ Claude Taylor, the Director of the Tuberculosis Division, reported in 1945 on the incidence and treatment of tuberculosis amongst Māori during the previous year. Taylor stated that tuberculosis patients who had been treated in hospitals or sanatoria needed to be provided with adequate housing following their discharge. According to Taylor: ‘The improvement of housing for the Maori is recognized as an important factor in producing a decrease in the incidence of the disease ... As a temporary measure an increasing number of hutments are being supplied’.¹¹¹ He maintained that improved housing conditions were essential for both Māori and Pākehā families with relatives suffering from tuberculosis. These families needed homes with adequate ‘sanitary conveniences’ and enough bedrooms for family members recovering from this disease to be able to sleep alone in their own separate rooms. Hutments were small prefabricated shelters for tuberculosis patients (see Figure 3.5 below) and were intended as a short-term measure until there were enough affordable homes with sufficient bedrooms or sleeping porches for all ‘tuberculous families’.¹¹² By 1943, over one hundred hutments were in use for Māori tuberculosis patients across the country.¹¹³

During the 1930s and 1940s, the Health Department continued to publish pamphlets designed to educate Māori about how to prevent and treat tuberculosis and influenza, which discussed the connections between Māori housing and health.¹¹⁴ In 1939, the Department published a new edition of its tuberculosis pamphlet entitled: *Mate kōhi: (Consumption) Ngā huarahi hei ārai i tāua mate*. This pamphlet warned about the dangers in the home from people infected with tuberculosis failing to take adequate precautions to prevent the spread of this disease especially with regard to coughing and spitting. The pamphlet emphasised ‘cleanliness and good ventilation’ in the home to reduce the risk of infection from tuberculosis. It also provided guidance about home treatment for tuberculosis patients. These patients were advised to sleep in a ‘separate room, tent, or veranda, or separate end of the room’ and children were not to play or sleep in the same room. The pamphlet recommended that patients should have ample fresh air and sunlight provided by open windows. Furthermore, this pamphlet advocated sunshine and fresh air to prevent tuberculosis along with clean ‘bodies and houses’.¹¹⁵

¹¹⁰ See Deborah Dunsford, “‘Seeking the Prize of Eradication’: A Social History of Tuberculosis in New Zealand from World War Two to the 1970s”, PhD thesis, University of Auckland, 2008, pp. 47-48, p. 51, pp. 67-68, p. 97

¹¹¹ C.A. Taylor, ‘Report on Tuberculosis Control in New Zealand’, AJHR, H-31, 1945, p. 18

¹¹² Taylor, ‘Report on Tuberculosis Control in New Zealand’, p. 18; See also Dunsford, “‘Seeking the Prize of Eradication’”, p. 44, p. 66, p. 68, p. 224

¹¹³ C.A. Taylor, ‘Notification of Tuberculosis in New Zealand’, *New Zealand Medical Journal*, 42, 1943, p. 153

¹¹⁴ Department of Health, *Mate kōhi: (Consumption) ngā huarahi hei ārai i tāua mate*, Wellington: Government Printer, 1939; Department of Health, *Mate rewharewha ara mate puruu (Influenza)*, Wellington: Government Printer, 1940; Department of Health, *Piwa Taipo (Typhoid fever)*, Wellington: Government Printer, 1940

¹¹⁵ Department of Health, *Mate kōhi*, 1939, pp. 7-8

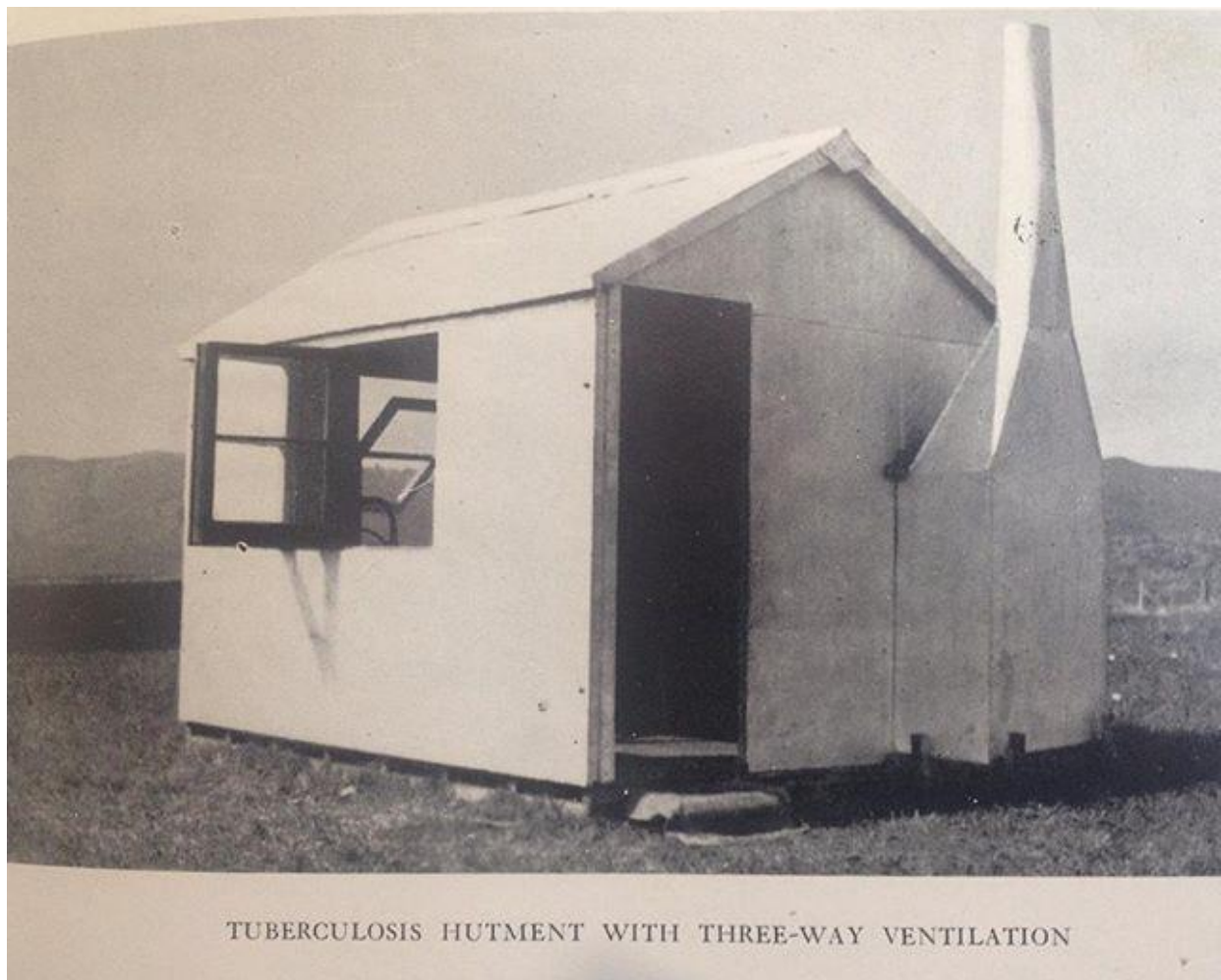


Figure 3.5: 'Tuberculosis Hutment with Three-Way Ventilation',
I.L.G. Sutherland (ed.), *The Maori People Today: A General Survey*, Christchurch: Whitcombe & Tombs, 1940.

In 1940, the Health Department issued a similar pamphlet for Māori about the prevention and treatment of influenza called *Mate rewharewha ara mate pururu (Influenza)*. In common with the tuberculosis pamphlet, this was an updated version of an earlier pamphlet and included text in both English and te reo Māori. According to this pamphlet, the spread of influenza was facilitated 'by bad ventilation of homes and meeting-places – that is, by shut windows and stuffy rooms'. This pamphlet advised 'good ventilation day and night through open windows. Cleanliness of sick room or house – scrub with soap and water ... Do not sleep in the same room with the patient ... Do not sleep in crowded meeting-houses or rooms'.¹¹⁶ These pamphlets demonstrate the Health Department's emphasis on public education to

¹¹⁶ Department of Health, *Mate rewharewha ara mate puruu*, p. 3, p. 7

improve Māori health, which was intended to support the work of the Native Affairs Department that was responsible for housing.

In July 1945, the Health Minister Arnold Nordmeyer wrote to the Native Affairs Minister Rex Mason raising concerns about Native Affairs houses with regard to health issues. Nordmeyer thought that these houses were too small for their inhabitants, which he felt undermined the aim to improve Māori health through better housing. He noted that many of these houses were overcrowded.¹¹⁷ In September of the same year, Nordmeyer held a conference in an attempt to work out ‘the apparent conflict between the Health and Native Affairs Departments’ about standards for publicly funded houses.¹¹⁸

Health Department officials at this conference criticised the Native Affairs housing programmes. Some claimed that Native Affairs was lending money for houses that were not large enough and did not have adequate sanitary facilities to ensure health along with not providing sufficient money to construct all of the houses needed. In particular, the Health Department remained concerned about the comparatively high rates of tuberculosis amongst Māori, which was partially caused by overcrowded housing. The Health Department provided tuberculosis treatment in sanatoria and hospitals for Māori, but, as Nordmeyer stated at this conference, ‘when the disease had been arrested they were sent back to homes which were entirely unsuitable for them ... inviting more trouble’.¹¹⁹ Turbott, Director of the Division of School Hygiene in the Health Department, shared this argument and supported it with reference to his 1930s tuberculosis research (discussed earlier in this chapter). Some homes that he had photographed in 1931 still had new tuberculosis diagnoses in the 1940s. Dr Thomas Ritchie, the deputy Director-General of Health, also emphasised the importance of providing better living conditions for Māori to improve their health and that of the wider population.¹²⁰

George Shepherd, the Native Affairs’ under-secretary, defended the Native Affairs housing programme at this conference. He acknowledged that it had ‘long been aware of the deficiencies in their housing’.¹²¹ Shepherd claimed that since the Native Housing Act 1935 was passed, his department had worked hard to arrange the funding and construction of as many houses as possible. In common with other housing construction, his department’s housebuilding had been delayed due to wartime labour and materials shortages. By 1945, Native Affairs had funded and arranged for the construction of 2,550 dwellings,

¹¹⁷ A.H. Nordmeyer, ‘Memorandum for the Minister of Native Affairs’, 31 July 1945, Wellington, Maori Health - Maori Housing, R16658193, Archives NZ, Wellington

¹¹⁸ ‘Maori Housing Conference’, 14 September 1945, p. 1, Wellington, ‘Maori Health - Maori Housing’, R16658193, Archives NZ, Wellington

¹¹⁹ ‘Maori Housing Conference’, p. 1

¹²⁰ ‘Maori Housing Conference’, p. 5

¹²¹ ‘Maori Housing Conference’, p. 1

purchased 103 houses, and carried out renovations and extensions to 150 homes.¹²² Shepherd maintained that his department had always attempted to construct dwellings that were reasonably priced and met the needs of the families who would live in them. He emphasised that Native Affairs ‘could only build with the funds that were given to it’.¹²³

Lack of funding limited the Native Affairs Department’s ability to build adequately sized houses for whānau. H.B. King, a deputy native trustee for the Native Affairs Department, suggested that housing subsidies should be provided to ensure suitable housing for these families to avoid steep repayments that would prevent parents from being able to afford ‘the necessities for their children’. Ritchie wanted all low-income families to be provided with subsidised housing to make it possible for breadwinners on the minimum wage to afford clothing, food, and a home that was big enough ‘to bring up healthy children’. The Native Affairs Department’s Chief Welfare Officer Te Rangiātaahua (Rangi) Royal (Ngāti Raukawa and Ngāti Tamaterā) shared these concerns about housing Māori families. He stated that families who could not afford to repay a housing loan, or save the initial £40 deposit, were forced to remain in unhealthy conditions.¹²⁴

Children’s health was a significant concern for those who campaigned for more government support for Māori housing. Another example of this was when Mary Lambie, the Director of the Nursing Division of the Health Department, raised concerns at the conference about the health impacts of Māori families living in Native Affairs houses that were ‘far too small’ with not enough windows. Lambie blamed substandard housing conditions for the higher Māori infant mortality rate and cited cases when infants had suffered from pneumonia due to these conditions.¹²⁵ In 1946, the Māori infant mortality rate was 88.93 per 1000 compared to 27.99 per 1000 for Pākehā.¹²⁶ She was particularly apprehensive about some of these houses which had 14 to 16 people sleeping in one room.¹²⁷

Lambie’s concerns may also have been due to a different cultural approach to sleeping as Māori often slept communally with their extended family in wharepuni (sleeping houses) compared to the Pākehā way of living which emphasised nuclear families and individual sleeping arrangements.¹²⁸ Māori housing policy was not just about improving health but also about assimilation into a Pākehā lifestyle,

¹²² ‘Maori Housing Conference’, p. 1

¹²³ ‘Maori Housing Conference’, pp. 1-2

¹²⁴ ‘Maori Housing Conference’, pp. 2-3, p. 5

¹²⁵ ‘Maori Housing Conference’, p. 2

¹²⁶ ‘Annual Report of the Director-General of Health’, AJHR, H-31, 1946, p. 1

¹²⁷ ‘Maori Housing Conference’, p. 5

¹²⁸ Ben Schrader, ‘Māori Housing – te noho whare’, *Te Ara - the Encyclopedia of New Zealand*, <http://www.TeAra.govt.nz/en/maori-housing-te-noho-whare> (accessed 10 May 2022); ‘Home Health Guide’, *Ellesmere Guardian*, 13 October 1944, p. 6; *Mate kōhi*, 1939, p. 7; Lange, *May the People Live*, pp. 22-23, pp. 26-27

as some historians, such as Ben Schrader and Deidre Brown, have noted. More culturally appropriate housing policy, such as building houses that were suitable for extended families with large bedrooms, may have been more successful at improving Māori housing conditions (and health) than the provision of small houses only suitable for one nuclear family.¹²⁹

3.6 What barriers, if any, did Māori encounter when trying to access government housing programmes, services, and lending assistance for housing, and how did housing assistance available for Māori land compare to assistance programmes available for general land?

The early 1930s economic depression severely affected Māori, who were already often living in poverty due to ongoing land loss and economic marginalisation. Māori unemployment grew and their remaining land was less able to financially support the increasing Māori population.¹³⁰ The depression exacerbated pre-existing Māori poverty due to the reliance of Māori on casual employment in rural export industries, which were particularly affected by the economic conditions. During the depression, 40 to 75 per cent of Māori men were unemployed compared to 12 per cent of Pākehā men. The lack of employment opportunities in rural areas hindered Māori participation in the Native Affairs housing schemes, which required regular repayments for housing loans. Ongoing land loss, especially combined with a growing population, also made it difficult for many Māori to build new houses on their land and prevented them from participating in the land development schemes, which often included housebuilding.¹³¹ Poverty, land loss, and overcrowded homes contributed to Māori urban migration during the 1930s and 1940s.¹³²

The Second World War was another significant obstacle to Māori accessing housing assistance. Building materials and tradespeople were diverted to the war effort. By 1943, housing construction on both Māori and general land had virtually ceased.¹³³ Labour and building materials shortages due to the war continued to constrain housing construction throughout the 1940s, on both Māori and general land

¹²⁹ Schrader, 'Māori Housing – te noho whare'; Deidre Brown, *Māori Architecture: From Fale to Wharenui and Beyond*, Auckland: Penguin Group, 2009, pp. 126-127

¹³⁰ Mason Durie, *Ngā kāhui pou: Launching Māori Futures*, Wellington: Huia Publishers, 2003, p. 89; Mathew Rout and Grace Walker, 'An Exploration of the Māori Housing-Health Nexus During the Mid-Twentieth Century', *New Zealand Population Review*, 47, 2021, p. 74

¹³¹ Stirling, 'Wairarapa Maori', p. 295

¹³² Hearn, 'The social and economic experience of Porirua ki Manawatu Māori', p. 330; Harris, 'Persistence and Resilience, 1920–1945', p. 325

¹³³ 'State Advances Corporation of New Zealand Report', AJHR, B-13, 1941, p. 10; NZPD, Vol. 262, 1943, p. 27; David Alexander, 'The Land Development Schemes of the Te Urewera Inquiry District', 2002, (Wai 894, #A74), p. 95

(including the construction of state houses), despite government initiatives to train young Māori in the building trades.¹³⁴

State housing and State Advances loans were the main sources of government housing assistance during the 1930s and 1940s. By 1940, nearly 12,000 state houses had been constructed in contrast to 1,224 houses built or renovated under the Māori land development schemes, 171 under the Native Housing Act 1935, and 197 under the Native Housing Amendment 1938 (the special housing fund).¹³⁵ During this period, Māori were approximately six per cent of the population and were widely known to have greater housing needs than the general population.¹³⁶ The legislation for the state housing programme did not overtly exclude Māori. In practice, however, Māori were effectively excluded from the state housing programme until at least the mid-1940s by the policy of referring Māori to the Native Affairs Department for housing assistance. Furthermore, State Advances housing loans were not available for Māori land during the 1930s and 1940s.¹³⁷ According to housing researchers Sarah Bierre, Philippa Howden-Chapman, Louise Signal, and Chris Cunningham, ‘Māori were excluded from mainstream housing assistance on the basis that their needs would be met by the under-funded Department of Native Affairs’.¹³⁸

Government housing assistance provided for Māori by the Native Affairs department was much more limited than that available for the general population. The Board of Native Affairs, which administered the funding for Māori housing applied ‘more restrictive and more closely supervised’ criteria than was applied to government housing assistance for Pākehā provided under the Advances to Settlers, Advances to Workers, and State Advances housing schemes. This reduced the uptake of government housing assistance for Māori despite their greater housing needs. Furthermore, less funding for housing loans for Māori land led to lower housing standards to reduce building costs and these new dwellings were often built without baths, sinks, flush toilets, plumbed-in hot water, and stoves until after the

¹³⁴ NZPD, Vol. 275, 1946, p. 290; Arbury, ‘A Healthy Home? Housing and Health in Tāmaki Makaurau/Auckland 1918–1949’, pp. 196–197, p. 265, pp. 288–289, p. 292; ‘Annual Report of the Board of Maori Affairs’, AJHR, G-10, 1949, p. 7

¹³⁵ Ferguson, *Building the New Zealand Dream*, p. 177; p. 164; ‘Native land development and the provision of houses for Maoris, including employment provision’, AJHR, G-10, 1940, p. 5, p. 60

¹³⁶ ‘State Advances Corporation of New Zealand: Report and accounts for the year ended 31 March 1950’, AJHR, B-13, 1950, p. 17; Ferguson, *Building the New Zealand Dream*, p. 177

¹³⁷ Sarah Bierre, Philippa Howden-Chapman, Louise Signal, and Chris Cunningham, ‘Institutional challenges in addressing healthy low-cost housing for all: learning from past policy’, *Social Policy Journal of New Zealand*, 30, March 2007, p. 44, pp. 55–56; Tracy Hillier and Rita Rangitaia Wordsworth, Amended Statement of Claim, 29 June 2018, (Wai 2750, #1.1.28), p. 18; Hurimoana Nui Dennis, Second Amended Statement, 29 June 2018, (Wai 2750, #1.1.45), p. 11

¹³⁸ Bierre, Howden-Chapman, Signal, and Cunningham, ‘Institutional challenges in addressing healthy low-cost housing for all’, p. 44, pp. 55–56

Second World War.¹³⁹ The maximum loan available for Native Affairs houses was £750 compared to the £1,000 (which was increased to £1,250 in 1936) for State Advances loans and £929 for the average cost of constructing a two-bedroom state house in 1939.¹⁴⁰ In 1938, the average loans for the Native Affairs houses were around £250 to £300 in 1938.¹⁴¹ The low average amounts of these loans indicate that it is unlikely that most Māori families would have been able to fund repayments for houses over the loan limit of £750.

Government spending on housing for Māori on a per capita basis was lower than for the general population throughout the 1930s and 1940s, which is reflected in these houses being built to a lower standard. The restrictive lending criteria meant that most Māori did not earn enough to qualify for a Native Affairs loan and the majority of the £100,000 allocated under the Native Housing Act 1935 in the 1937 to 1938 financial year was not used. During the same financial year, £5,000,000 was spent on state housing for Pākehā families.¹⁴² It was not until 1950 that it was increased to more than one per cent of the government's total housing budget. This was despite the greater housing needs of Māori who comprised seven per cent of the population by 1950.¹⁴³

From the mid-1940s onwards, the State Housing Corporation began to build state houses to rent to Māori families. This followed Royal's 1944 housing survey which advised the government to build state houses and Native Affairs' dwellings for Māori families in Auckland.¹⁴⁴ The government extended the state housing programme to include Māori families because neither private housing nor the Native Affairs housing programme had provided sufficient homes for them. State rental houses, which had been available to Pākehā since 1937, were intended to 'lay a foundation for improved health' for Māori families. The decision to include Māori in the state housing programme was also a result of growing urbanisation. As Māori families increasingly lived in urban areas, it was no longer practical to exclude them from the urban state housing scheme. The Department of Māori Affairs and iwi organisations were responsible for choosing Māori families to live in state rental houses while the provision of state houses remained the State Advances Corporation's responsibility.¹⁴⁵ State houses were built on general

¹³⁹ Waitangi Tribunal, *Wairarapa ki Tararua Report*, Vol. 1, p. 351; Krivan, 'The Department of Maori Affairs Housing Programme, 1935–1967', pp. 43–44

¹⁴⁰ Stirling, 'Wairarapa Maori and the Crown', p. 310; See also Ferguson, *Building the New Zealand Dream*, p. 164; State Houses, *Otago Daily Times*, 24 August 1939, p. 19

¹⁴¹ 'Native Houses', *New Zealand Herald*, 18 January 1938, p. 14

¹⁴² Stirling, 'Wairarapa Maori and the Crown', p. 310; See also Ferguson, *Building the New Zealand Dream*, p. 164

¹⁴³ Waitangi Tribunal, *Wairarapa ki Tararua Report*, Vol. 1, p. 351; Krivan, 'The Department of Maori Affairs Housing Programme, 1935–1967', p. 69

¹⁴⁴ Rangi Royal, 'Maori Welfare Division – Economic and Domestic Survey', 1944, p. 7, Panmure – Tamaki – Housing Survey, R19528268, Archives NZ, Wellington

¹⁴⁵ 'Department of Maori Affairs Annual Report', G-9, AJHR, 1949, p. 9

land and state housing for Māori whānau is discussed in more detail in another commissioned report for this inquiry.¹⁴⁶

Māori returned servicemen were eligible for the same housing assistance as Pākehā returned servicemen, which included state housing allocation and State Advances loans.¹⁴⁷ The Rehabilitation Act 1941 included a provision for the ‘granting of financial assistance to discharged servicemen and to servicemen’s widows to enable them to acquire homes’.¹⁴⁸ In 1943, the Rehabilitation Board reported the government had increased the proportion of state houses allocated to returned servicemen or their widows from 25 per cent earlier in the war to 50 per cent. However, this report also acknowledged that defence work was delaying the completion and thus allocation of state houses.¹⁴⁹ According to this report, the Rehabilitation Board aimed to offer Māori ex-servicemen the same opportunities for re-establishment as Pākehā ex-servicemen.¹⁵⁰ However, the Rehabilitation Board acknowledged in its 1944 report, that providing financial assistance for Māori ex-servicemen in rural areas to build a house was more challenging due to the lack of employment opportunities in these areas. Repayments for housing loans could only be made if ongoing employment was available in the area. Further, this report stated that the Māori housing shortage was even more acute than ‘the general housing problem’. In an attempt to overcome this challenge, the Māori Rehabilitation Finance Committee arranged for temporary housing to be built from ‘disused service hutments’ to provide short-term homes for Māori returned servicemen.¹⁵¹ By 1949, 456 loan applications for the construction of new Māori Affairs houses had been approved for former Māori servicemen. The ongoing building materials shortage initially hindered the construction of these new homes.¹⁵² The Rehabilitation Board reported in 1949 that 10,256 state houses and flats had been allocated to returned servicemen, but did not specify how many were allocated to Māori.¹⁵³

After the inclusion of Māori in the state housing programme, the Labour Government still continued the Māori housing programme. In 1946, the Native Affairs Minister Rex Mason reported on his department’s progress in improving Māori housing conditions. He claimed, ‘Constant attention is being given to improving the standard of Maori housing by providing those amenities necessary to

¹⁴⁶ See Max Nichol and Timothy Gassin, ‘Historical Māori Housing, 1935–1990’, 2023, draft report, (Wai 2750)

¹⁴⁷ Hearn, ‘The economic rehabilitation of Maori military veterans’, p. 379, p. 429; Stirling, ‘Wairarapa Maori and the Crown’, p. 313

¹⁴⁸ Rehabilitation Act 1941 (5 GEO VI 1941 No 25), p. 312

¹⁴⁹ ‘Report of the Rehabilitation Board’, AJHR, H-18, 1943, p. 15

¹⁵⁰ ‘Report of the Rehabilitation Board’, AJHR, H-18, 1943, p. 17

¹⁵¹ ‘Report of the Rehabilitation Board’, AJHR, H-18, 1944, p. 24

¹⁵² ‘Report of the Rehabilitation Board’, AJHR, H-18, 1949, p. 17; ‘Report of the Rehabilitation Board’, AJHR, H-18, 1947, p. 16

¹⁵³ ‘Report of the Rehabilitation Board’, AJHR, H-18, 1949, p. 15

safeguarding the welfare and health of the people'. His report proposed that the government needed to provide 'some form of assistance to bridge the gap between the costs of such housing and the financial ability of the large family groups' otherwise it would be impossible to provide these families with healthy homes that they could afford.¹⁵⁴ The Māori housing programme constructed houses to a lower standard than state houses to keep repayments affordable. This emphasis on inexpensive repayments for Native Affairs houses meant that there were different standards for Māori and Pākehā publicly funded houses until the late 1940s when Māori were finally offered the 30-year mortgage terms that had been available to Pākehā since 1894.¹⁵⁵

During the 1940s, politicians debated whether Māori housing should be included in legislation which aimed to improve housing conditions. The Housing Improvement Act 1945 explicitly excluded housing on Māori land. The Act stated:

Provided that, except with the consent of the local authority, the Minister shall not take any steps or do any acts pursuant to the provisions of this subsection in relation to any house which is situate[d] on Native land within the meaning of the Native Land Act, 1931.¹⁵⁶

During the second reading of the Housing Improvement legislation, MPs discussed 'whether Māori housing should be exempt from the powers given to local bodies to have housing improvements carried out to substandard houses'. Cyril Harker (the National Party MP for Hawke's Bay) argued that local bodies should be given the ability to enforce improvements for Māori housing and attributed the higher prevalence of tuberculosis amongst Māori to substandard housing conditions.¹⁵⁷ Eruera Tirikātene (the Rātana MP for Southern Māori) stated that Māori 'felt that the exclusion of their housing from the Bill was a two-edged sword'. He noted that if Māori housing was included in the Bill, then there was a possibility that local bodies could use the legislation to evict Māori from their homes. Nevertheless, under questioning from Opposition MPs, Tirikātene stated his personal preference was for Māori housing to be treated equally in the Bill's provisions.¹⁵⁸ Ronald Algie (the National MP for Remuera) argued that if this legislation included Māori housing then it could be used to enforce housing

¹⁵⁴ 'The Development and Settlement of Native Lands and the Provision of Houses for Maoris', AJHR, G-10, 1946, p. 37

¹⁵⁵ 'The Development and Settlement of Maori Lands and the Provision of Houses for Maori', AJHR, G-10, 1948, pp. 12-13; Waitangi Tribunal, *Wairarapa ki Tararua Report*, Vol. 1, p. 351; Stirling, 'Wairarapa Maori and the Crown', pp. 313-314

¹⁵⁶ Housing Improvement Act 1945 (9 GEO VI 1945 No 17), p. 105

¹⁵⁷ 'Housing Improvement Bill Discussion', *Northern Advocate*, 21 September 1945, p. 7

¹⁵⁸ 'Housing Improvement Bill Discussion', p. 7

improvements at the ‘Maori settlement between Orakei and Mission Bay [discussed later in this chapter] ... which was not up to the standard the Maoris ... should be living under’.¹⁵⁹

The Housing Improvement Act 1945 was followed by the Housing Improvement Regulations Act 1947, which was intended to help the 1945 Act to be more effective in its attempts to legislate for improved housing conditions. The regulations specified minimum standards for dwellings. As part of these minimum standards, all kitchens had to include: a sink with a tap connected to a source of ‘potable water’; sufficient food storage to protect food from insects, dust and direct sunlight; and ‘adequate means of preparing food and cooking food’.¹⁶⁰ Under the regulations, every house’s living room had to include a fireplace with a chimney or other ‘approved source of heating’.¹⁶¹ The regulations also aimed to ensure all houses would ‘be free from dampness’ and specified that houses with timber floors needed sufficient room under the floorboards for air to circulate, and bathrooms and toilets needed a window opening to the outside, unless provided with another means of ventilation. All house sites were required to include adequate drainage and it was forbidden to build houses on a site which was subject to ‘periodic flooding in times of normal rain’.¹⁶² The 1947 Housing Improvement Regulations shared some specifications with the Maori Councils by-laws discussed in Chapter Two. However, research for this report did not reveal whether these housing regulations were applied to Māori communities.

3.7 How did Ngāti Whātua Ōrākei seek to address the housing needs of their community?

Ngāti Whātua Ōrākei were Auckland’s first inhabitants yet the government and the Auckland City Council threatened to demolish their papakāinga in the early twentieth century.¹⁶³ This case study focuses on this community’s attempts to address their housing needs in the face of opposition from the Auckland City Council and the central government.

During the 1930s, Ngāti Whātua Ōrākei were determined to continue living on their ancestral land even if that meant turning their papakāinga into a tourist attraction to fund housing improvements for their community and prevent attempts to forcibly relocate them.¹⁶⁴ In 1934, George Hutchison, the Mayor of Auckland City, wrote to Sir Āpirana Ngata (the Minister of Native Affairs at this time) informing him

¹⁵⁹ ‘Maori Housing’, *Timaru Herald*, 21 September 1945, p. 6

¹⁶⁰ Housing Improvement Regulations 1947, p. 654

¹⁶¹ Housing Improvement Regulations 1947, p. 654

¹⁶² Housing Improvement Regulations 1947, p. 655; See also Arbury, ‘A Healthy Home? Housing and Health in Tāmaki Makaurau/Auckland 1918–1949’, pp. 255–256

¹⁶³ ‘City Improvements’, *New Zealand Herald*, 16 June 1923, p. 11; Waitangi Tribunal, *Report of the Waitangi Tribunal on the Orakei Claim*, p. 6, p. 78; ‘Orakei Model Suburb’, *New Zealand Herald*, 14 August 1918, p. 8

¹⁶⁴ *Report of the Waitangi Tribunal on the Orakei Claim*, p. 96, p. 104; See also Arbury, ‘A Healthy Home? Housing and Health in Tāmaki Makaurau/Auckland 1918–1949’, p. 57

that there was interest in ‘a model native village ... where the natives could live under hygienic conditions’. It was envisioned that this would be a tourism venture with tourists paying to visit the new village and buy Māori handicrafts. The population of the Ōrākei papakāinga and surrounding area at this time stood at ninety-seven. Many supported the idea of a ‘model native village’. This was not because they liked the idea of living in a tourist village. Rather, it was the only proposed plan which would allow them to remain on their ancestral land at a time when both the local council and central government were discussing forcing them to leave their land. However, Ngata did not agree with this plan because he believed that it was not the right location to build a ‘model pa’ and his priority at the time was rural Māori land development (as outlined earlier in this chapter). In common with other officials, he argued that the location was too low-lying to be suitable for a model village.¹⁶⁵

Auckland City Council officials used health concerns as a basis for their arguments to relocate the village’s inhabitants. In 1935, James Tyler, the Auckland city engineer, argued that the site was unacceptable for building a new ‘model’ settlement (see Figure 3.6 below for Auckland architect Nigel Wallnutt’s drawing of this proposed model village). Tyler claimed this was because it was too ‘low-lying and difficult to drain’.¹⁶⁶ He did not mention that the Auckland City Council’s sewerage pipe in Ōkahu Bay was causing some of the drainage issues, nor the council’s refusal to provide permission for renovations to the village’s dwellings.¹⁶⁷ Tyler justified his argument against rebuilding the papakāinga by invoking its inhabitants’ poor health statistics and maintained that public health concerns were more significant than other factors in determining the settlement’s future. These concerns included higher rates of infectious diseases, such as tuberculosis and typhoid, than other parts of Auckland.¹⁶⁸ H. Paull, Auckland’s chief sanitary inspector, agreed with Tyler that the site was unsuitable for housing and stated that the settlement was ‘a potential danger to the health of the city’.¹⁶⁹ This may have been why

¹⁶⁵ Arbury, ‘A Healthy Home? Housing and Health in Tāmaki Makaurau/Auckland 1918–1949’, p. 56; See also Waitangi Tribunal, *Report of the Waitangi Tribunal on the Orakei Claim*, pp. 104–105

¹⁶⁶ J. Tyler, ‘Town Planning Aspect: Report of City Engineer’, September 1935, p. 11, Reports Respecting Orakei Native Village Settlement - 14 September 1935 – Concerns plans to establish a model Pa at Orakei on Native Reserve, R18874403, Archives NZ, Wellington; ‘Improving the amenities of the Auckland waterfront road: An attractive plan for the future development of the Orakei Native Village’, Maori Trust Mortgages – Petition No. 252/33, R11835789, Archives NZ, Wellington

¹⁶⁷ ‘Trades Council Will Back Te Puea’s Lead’, *In Print*, 21 April 1943, p. 1; Waitangi Tribunal, *Report of the Waitangi Tribunal on the Orakei Claim*, p. 89, p. 128; See also Aroha Harris, *Hikoi: Forty Years of Māori Protest*, Wellington: Huia Publishers, 2004, p. 82; Cybèle Locke, *Workers in the Margins: Union Radicals in Post-War New Zealand*, Wellington: Bridget Williams Books, 2012, pp. 25–26

¹⁶⁸ J. Tyler, ‘Town Planning Aspect: Report of City Engineer’, September 1935, p. 11, Reports Respecting Orakei Native Village Settlement - 14 September 1935 – Concerns plans to establish a model Pa at Orakei on Native Reserve, R18874403, Archives NZ, Wellington; ‘Orakei Village’, *New Zealand Herald*, 26 June 1937, p. 17

¹⁶⁹ H. Paull, ‘Sanitary Conditions: Report of Chief Sanitary Inspector’, in ‘Report Respecting Orakei Native Village Settlement, Submitted by His Worship the Mayor Mr. Ernest H. Davis’, September 1935, pp. 12–13, ‘Reports Respecting Orakei Native Village Settlement - 14 September 1935 - Concerns Plans to Establish a Model Pa at Orakei on a Native Reserve’, R18874403, Archives NZ, Wellington

the Auckland City Council did not provide renovation permits for dwellings on this site. Ernest Davis, Mayor of Auckland City (1935–1941), claimed that because Māori ‘were more susceptible to disease [than Pākehā] ... the settlement would be a source of danger in times of epidemic’.¹⁷⁰

In 1937, Davis attempted to defend his council’s treatment of Ngāti Whātua Ōrākei and used health concerns to justify his council’s position. According to Davis, the council’s ‘only concern has been to ensure that the settlement conforms to the hygienic requirements of the community’. He stated that if Ngāti Whātua Ōrākei were allowed to remain in their papakāinga, ‘let the necessary steps to re-house, drain and clean up the area be taken at once’, but if the council decided to evict them then this should also happen immediately. He referenced Tyler’s report, which indicated that the village lacked drainage and had insanitary conditions.¹⁷¹ Yet Davis failed to acknowledge that drainage and sanitation were his council’s responsibility. The council had provided these services to most other parts of Auckland City by the 1930s, including for the state housing built nearby on land previously belonging to Ngāti Whātua Ōrākei.¹⁷²

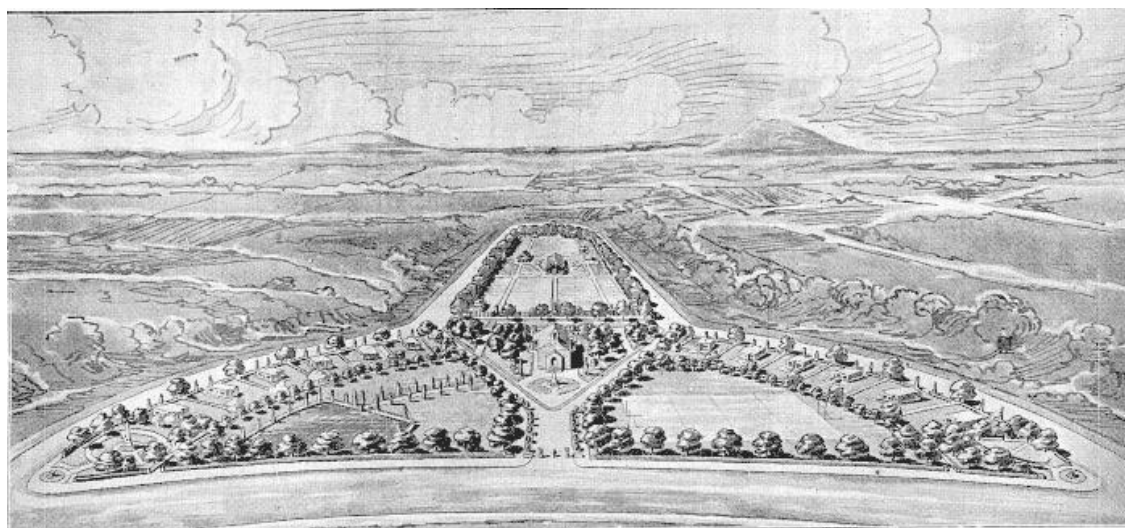


Figure 3.6: ‘An Attractive Plan for the Future Development of the Orakei Native Village’,
New Zealand Herald, 28 February 1934, p. 8

During the 1930s, Ngāti Whātua Ōrākei attempted to remain living and to build new houses on their land through legal channels and by writing letters to the government. In December 1937, a member of Ngāti Whātua Ōrākei and resident of the village, Mrs Whatitiri wrote to Rex Mason (New Zealand’s

¹⁷⁰ ‘Model Village’, *Auckland Star*, 21 September 1935, p. 11; See also Arbury, ‘A Healthy Home? Housing and Health in Tāmaki Makaurau/Auckland 1918–1949’, p. 297

¹⁷¹ ‘Orakei Village’, *New Zealand Herald*, 26 August 1937, p. 14

¹⁷² ‘Orakei Village’, *New Zealand Herald*, 25 August 1939, p. 12

Attorney-General) to inform him that she was filing a petition under the Crown Suits Act 1908 to ‘continue in undisturbed possession of ... [her] land’. She also sought compensation for the actions of government employees who destroyed fences on her land and constructed roads there in October 1937.¹⁷³ In January 1938, Maungatai Julia Paora-Babbington (Ngāti Whātua), a former Auckland district nurse, wrote to Langstone that she wanted legal issues about her Ōrākei land to be resolved so she could obtain permission from the council to build a new home on a section where her late uncle previously had a house. She explained that she was one of ‘twelve families of the Paora descent ... awaiting the Government’s final decision ... as to the settlement in order to build’. Paora-Babbington wrote that her difficulty in receiving the council’s permission to build a house had led to her living in a tent at the settlement until strong winds destroyed it.¹⁷⁴

Te Puea Hērangi came to Auckland in the early 1940s to help Ngāti Whātua Ōrākei retain their remaining land and improve their housing conditions. Ngāti Whātua Ōrākei had previously supported her work in the Waikato and there were kinship connections between her ancestors and Ngāti Whātua Ōrākei. Te Puea provided Ngāti Whātua with support when the Auckland City Council wanted them to leave their homes because their dwellings were inadequate, yet they were not legally allowed to improve their housing conditions. She was instrumental in organising renovations of their papakāinga. This was in response to the council’s claims that it was an ‘eyesore’ and because of the health issues associated with its lack of drainage. Her first step was organising the building of a wooden palisade around their village.¹⁷⁵ In June 1943, 200 union members, including future poet laureate and recent rural migrant to Auckland Hone Tūwhare (Ngāpuhi), assisted Ngāti Whātua Ōrākei and Te Puea with the construction of this palisade.¹⁷⁶ Te Puea’s efforts, and the Auckland Trades Council’s support, temporarily delayed attempts to relocate the papakāinga’s inhabitants.¹⁷⁷

In the second half of the 1940s, unhealthy living conditions continued to be used as a reason to evict the remaining families. Prime Minister Peter Fraser wanted to move these families to state houses on higher ground. He claimed that ‘this flat ground [where they lived] was not healthy for the children ...

¹⁷³ Mrs Whatitiri, ‘Petition to the Honourable Henry Greathead Rex Mason’, 22 December 1937, Maori Trust Mortgages – Petition No. 252/33, R11835934, Archives NZ, Wellington

¹⁷⁴ M.J. Paora-Babbington, ‘Letter to Hon F. Langstone’, 26 January 1938, Maori Trust Mortgages – Petition No. 252/33, R11835934, Archives NZ, Wellington; Marion Hurst, ‘Letter to Mr. Savage’, 3 August 1937, Maori Trust Mortgages – Petition No. 252/33, R11835934, Archives NZ, Wellington

¹⁷⁵ ‘Trades Council Will Back Te Puea’s Lead’, *In Print*, 21 April 1943, p. 1; ‘Workers Show Solidarity with Maori in Unparalleled Demonstration’, *In Print*, 26 May 1943, p. 1; See also King, *Te Puea: A Life*, pp. 243-245

¹⁷⁶ ‘They Went and Told the World’, *In Print*, 9 June 1943, p. 3; Locke, *Workers in the Margins*, p. 20, p. 25

¹⁷⁷ ‘Workers Show Solidarity with Maoris in Unparalleled Demonstration’, *In Print*, 26 May 1943, p. 1; See also King, *Te Puea: A Life*, p. 245

and was required for a recreational area'.¹⁷⁸ Fraser used children's health as a justification for shifting these families. His argument was based on the contemporary health idea, addressed earlier in this report, that low-lying areas were unhealthy for human habitation. However, Te Puea replied to Fraser that tikanga dictated that houses should be clustered around the marae on the flat land, not up high looking down on the marae. She refuted Fraser's suggestion that it was unhealthy to live there and responded; 'there are people who have grown up there and are now very old and they are just as healthy as others who have lived on the high ground surrounding Orakei'. Te Puea also challenged his argument that the flat land could not be connected to the council's sewerage system, because it was too low lying, by arranging an expert to visit the site who found that it could be joined to the system.¹⁷⁹

Ngahuia Wirihana Haaka, and other women who were permanent occupants of the papakāinga, also wrote to Fraser in defence of them remaining on their ancestral land. They disagreed with Fraser's suggestion that they and their families should move to nearby higher land and reminded him that Māori tikanga meant they needed to remain near their marae. These women encouraged Fraser to ignore 'the aristocratic Europeans, who are living above us, and those of the city of Auckland together with the Mayor who are urging you to remove us'.¹⁸⁰ Fraser replied to their letter that he 'was most anxious to bring about a much needed improvement of the housing and living conditions', but still insisted they move to higher land.¹⁸¹

The Auckland City Council also remained committed to relocating these whānau in the late 1940s and, in common with the central government, continued to use health concerns as a justification. In October 1948, the Auckland City Mayor John Allum reported to his council that during the last 12 months there were five cases of notifiable diseases, including one case of diphtheria, three typhoid cases, and one infantile paralysis (poliomyelitis) case, out of a population of 216 people (including 110 children) in this settlement. His report also stated that new dwellings had been constructed without a permit and did not comply with building by-laws, and many homes had serious overcrowding.¹⁸² Thomas Ashby, the Auckland City town clerk, forwarded this report to the government and wrote in his cover letter that the

¹⁷⁸ Peter Fraser, 'Princess Te Puea and Others: Deputation to the Prime Minister, the Minister of Native Affairs, and the Minister of Internal Affairs', 15 June 1946, p. 2, 'Maori Trust Mortgages – Orakei Village Compensation', R11835791, Archives NZ, Wellington

¹⁷⁹ Te Puea Herangi, 'Deputation to the Prime Minister, the Minister of Native Affairs, and the Minister of Internal Affairs', 15 June 1946, p. 4, Maori Trust Mortgages – Orakei Village Compensation, R11835791, Archives NZ, Wellington

¹⁸⁰ Ngahuia Wirihana Haaka and Others, 'Letter to Peter Fraser', 23 July 1946, trans., Maori Trust Mortgages - Orakei Village Compensation, R11835791, Archives NZ, Wellington

¹⁸¹ Peter Fraser, 'Letter to Ngahuia Wirihana Haaka and Others', 14 August 1946, Maori Trust Mortgages - Orakei Village Compensation, R11835791, Archives NZ, Wellington

¹⁸² J.A.C. Allum, 'Report to Council', 21 October 1948, p. 2, Maori Trust Mortgages – Orakei Village Compensation, R11835792, Archives NZ, Wellington

upcoming Royal Tour was also prompting Aucklanders to think about the village's future.¹⁸³ His comment indicates that health concerns were not the only factor driving the council's attempts to evict Ngāti Whātua Ōrākei from their land.¹⁸⁴

The first National Government used the Public Works Act in 1950 and 1951 to acquire the remaining Ngāti Whātua Ōrākei land for 'housing purposes' and 'a recreation ground'.¹⁸⁵ In 1952, the last families moved to 45 new state rental houses in Ōrākei.¹⁸⁶ They had been evicted from their papakāinga, according to historian Aroha Harris, 'on the pretext of protecting their health' before their houses and marae were burnt to the ground following orders from the National Government.¹⁸⁷ A later Waitangi Tribunal report found that the burning of Ōrākei was also due to the Queen's visit in the summer of 1952–1953 rather than Crown policy:

Those left had to be burnt out and physically carried from their homes. It seemed necessary that that should not be delayed. Her Majesty Queen Elizabeth II was to visit Auckland in the coming summer 1952–1953. The procession route, it was first thought, would follow Tamaki Drive past the 'unsightly Orakei shacks' and since this was to be the first time a reigning Monarch would see Auckland, Auckland wished to be seen well.¹⁸⁸

In this report, the Waitangi Tribunal found that these new state houses were unsuitable for their inhabitants with only two or three bedrooms and a tiny living room to house the extended families who had lived together in their papakāinga. This led to overcrowding in many of these homes (an issue that state houses were supposed to remedy not cause), and family members leaving the area. Many elderly members of the hapū died within months of their forcible relocation.¹⁸⁹

During the 1930s and 1940s, Ngāti Whātua Ōrākei struggled to retain ownership of their remaining land and to improve their housing conditions. Both local and central government officials used health concerns as a justification to alienate Ngāti Whātua Ōrākei from their land. Efforts to improve health through better housing conditions, including state housing and Māori housing programmes, were an important national trend during this period, and this case study shows how these concerns led to land loss despite this community's efforts to improve their housing and remain living together on their own land. This case study (and the next one) also shows that the government's focus during this period was

¹⁸³ T.W.M. Ashby, 'Orakei Village Settlement', 1 November 1948, Maori Trust Mortgages – Orakei Village Compensation, R11835792, Archives New Zealand, Wellington

¹⁸⁴ See also Waitangi Tribunal, *Report of the Waitangi Tribunal on the Orakei Claim*, p. 124

¹⁸⁵ Waitangi Tribunal, *Report of the Waitangi Tribunal on the Orakei Claim*, p. 122

¹⁸⁶ NZPD, Vol. 297, 1952, p. 281; Waitangi Tribunal, *Report of the Waitangi Tribunal on the Orakei Claim*, p. 122

¹⁸⁷ Harris, *Hikoi*, pp. 82–83

¹⁸⁸ Waitangi Tribunal, *Report of the Waitangi Tribunal on the Orakei Claim*, p. 124

¹⁸⁹ Waitangi Tribunal, *Report of the Waitangi Tribunal on the Orakei Claim*, p. 125

on improving Māori housing conditions in rural areas not in urban or suburban areas and illustrates the limited effect that interventions, such as the Native Housing Programme, had in this period.

3.8 How did the Te Āti Awa people of Waiwhetū seek to address the housing needs of their community?

The Te Āti Awa people of Waiwhetū in Lower Hutt faced similar challenges to Ngāti Whātua Ōrakei during the 1930s and 1940s.¹⁹⁰ During the nineteenth century, the arrival of European settlers led to Te Āti Awa losing their papakāinga near Wellington harbour. Governor George Grey awarded Te Āti Awa a 100-acre block of low-lying land on the banks of the Waiwhetū Stream in 1847 after an official inquiry into land sales. The Lower Hutt Council pressured Te Āti Awa to develop their land to sell for housing purposes during the 1920s to pay off their rate arrears. In common with the Auckland City Council, the Lower Hutt Borough Council had not provided sewerage to the papakāinga (despite running sewer pipes to nearby houses) yet raised concerns about unhealthy conditions.¹⁹¹

In 1936, Dr Francis Maclean, a medical officer of health, surveyed housing at this community in response to Pākehā living nearby raising concerns about unhealthy conditions. Walter Nash, the local MP and Minister of Finance, wrote to the Minister of Health asking for housing conditions at Waiwhetū to be investigated after some of his constituents told him that ‘the houses ... were frightfully overcrowded, that as T.B. [tuberculosis] was still prevalent there, it was really menacing to some of the children who were attending adjacent schools’.¹⁹² Maclean reported to the Director-General of Health that he had visited all sixteen households and provided a detailed description of the housing conditions of each dwelling. Some of the houses were overcrowded including one with four rooms and five adults and seven children, and another with two rooms and three adults and four children. Most of the dwellings had artesian water and an earth closet (long-drop toilet). Despite three deaths in this community from tuberculosis in the last year, Maclean was not concerned about the risk of tuberculosis spreading to Pākehā in the community via schoolchildren as long as these children had regular medical examinations. Instead, he stated that in the interest of the health of Māori living in this community, the

¹⁹⁰ Waitangi Tribunal, *Report of the Waitangi Tribunal on the Orakei Claim*, p. 7, p. 33; Schrader, *We call it home*, pp. 57-59

¹⁹¹ Schrader, *We call it home*, pp. 57-59; See also Hutt Valley Tribal Committee, *The Story of “Arohanui ki te Tangata”, the meeting-house of “Goodwill to all Men”, Waiwhetu, Lower Hutt City*, Lower Hutt: A.K. Wilson Ltd, 1960, pp. 11-12

¹⁹² Walter Nash, ‘Memorandum for the Hon. Minister of Health’, 4 February 1936, Housing – Survey of Maori Housing – Waiwhetu, R11839879, Archives NZ, Wellington

four families who had a ‘a clear history of recent tuberculosis’ should be referred to the Department of Native Affairs for an investigation into how to improve their housing conditions.¹⁹³

The Labour Government strongly encouraged the Te Āti Awa people of Waiwhetū to sell their land to be used for state housing. Te Āti Awa opposed this proposal so the government compulsorily acquired their remaining land for state housing purposes in the early 1940s under the Public Works Act 1928. Government officials claimed to have paid a fair price for this land. However, once rates arrears had been repaid, there was no remaining land and not enough money for new houses on general land for all of the papakāinga’s inhabitants. Another challenge was that money from this compulsory sale was paid to all landowners, not just those who lived there. The government planned to ‘pepperpot’ (the government policy to house Māori in predominantly Pākehā communities) Waiwhetū residents, who were unable to afford to purchase new homes, to rental state houses around Lower Hutt.¹⁹⁴

In September 1943, members of Te Āti Awa people at Waiwhetū wrote a petition to the Minister for Native Affairs Rex Mason. The petitioners asked the Government to provide land and build a meeting house and dwellings ‘for the use of the Maoris living in the Waiwhetu and surrounding district’. They stated in their petition:

Our grounds for asking and the reasons why we think we are entitled to have such a Meeting House at the cost of the Crown are as follows ... By the Treaty of Waitangi, Her Majesty the late Queen Victoria ... confirmed and guaranteed to the Chiefs and Tribes of New Zealand and to the respective families and individuals thereof the full exclusive and undisturbed possession of the Lands and Estates, Forests Fisheries and other properties which they may collectively or individually possess so long as it is their wish and desire to retain the same in their possession.¹⁹⁵

Their petition also argued that they were entitled to Crown support on the basis of their ancestors signing an agreement to receive land in the Hutt District in return for their land which they had formerly held near the Wellington Harbour and elsewhere in the Hutt District. Yet, as they noted in their petition, once their land had been taken under the Public Works Act, they had ‘no lands left in the Hutt Valley where [they] ... and [their] ... ancestors have lived for so long’.¹⁹⁶ Furthermore, this petition stated:

¹⁹³ F.S. Maclean, ‘Memorandum for the Director-General of Health’, 28 February 1936, pp. 1-3, Housing – Survey of Maori Housing – Waiwhetu, R11839879, Archives NZ, Wellington

¹⁹⁴ Schrader, *We call it home*, pp. 57-59; See also Hutt Valley Tribal Committee, *The Story of “Arohanui ki te Tangata”, the meeting-house of “Goodwill to all Men”, Waiwhetu, Lower Hutt City*, pp. 11-12; Elena Michaels, ‘A summary history of the Waiwhetu Lands’, 1996, (Wai 105, #A1), pp. 1-2

¹⁹⁵ ‘Petition to the Honourable H.G.R. Mason, Minister for Native Affairs’, Wellington, September 1943, p. 1, Housing – Survey of Maori Housing – Waiwhetu, R11839879, Archives NZ, Wellington

¹⁹⁶ ‘Petition to the Honourable H.G.R. Mason, Minister for Native Affairs’, p. 1

We are receiving compensation in money for the lands taken but the sums awarded and to be awarded, will not take into account the breaking up of the Native Community at Waiwhetu. We will be scattered – we all wish to live in the Hutt Valley – some of us may be able to buy homes, but others will have to rent private or Government Houses ... We send our sons overseas to fight for freedom, and we take on our shoulder's part of the white man's burden. Had we our homes, the burden would not be too heavy upon us. The Government in its wisdom may know best – its housing scheme may be for the good of the many, but we feel sorely the loss of our ancestral lands and homes ... We feel certain that our European friends do not wish us to nurse what we consider not only an injustice, but a breach of faith – this taking of our lands against our wish ... A reserve of land for the Maori people and a Meeting House thereon at Waiwhetu will, we feel sure be an earnest from the Crown that it does not wish to injure its loyal subjects.¹⁹⁷

Two months later in December 1943, the Waiwhetū Tribal Committee asked their local councils, the Lower Hutt City Council and the Petone Borough Council, to support their opposition to the central government's plan to alienate all of their land and to help ensure that adequate land was reserved for the government to construct 'a model pa'.¹⁹⁸ The Waiwhetū Tribal Committee's proposal for a 'model pa' included a 'meeting-house, dining-room, and other marae facilities', as well as houses on at least 30 acres of their land. This proposal specified freehold houses that would not require ongoing rental payments. The Committee's proposal aimed to provide housing for the 120 members of this community whose tūpuna were awarded this land in the nineteenth century. An article in the *Evening Post* reported that the Mayor of the Lower Hutt City Council did not support their proposal on the basis that this community was divided into three different opinions about what should happen with this land. According to this article, the mayor had stated:

One party wanted, as the letter proposed, a portion of the area to be retained by the Maori people on which a model pa could be erected and the people maintain their ancient arts and crafts. Another thought the area should be retained, but that, modern houses should be erected and the conditions Europeanised, while a third party urged that modern homes should be built in which Maori and pakeha should be interspersed.¹⁹⁹

Lower Hutt City Council councillors concluded that this decision was 'a matter of national policy' and should be discussed with the central government.²⁰⁰ Another article in the *Evening Post* reported that

¹⁹⁷ 'Petition to the Honourable H.G.R. Mason, Minister for Native Affairs', pp. 1-2

¹⁹⁸ 'Waiwhetu Housing', *Evening Post*, 8 December 1943, p. 7; 'Maori Lands', *Evening Post*, 14 December 1943, p. 4; Te Rira Puketapu, 'Puketapu, Ihāia Pōrutu', *Dictionary of New Zealand Biography*, first published in 2000. *Te Ara - the Encyclopedia of New Zealand*, <https://teara.govt.nz/en/biographies/5p39/puketapu-ihāia-porutu> (accessed 7 June 2022)

¹⁹⁹ 'Waiwhetu Housing', *Evening Post*, 8 December 1943, p. 7

²⁰⁰ 'Waiwhetu Housing', *Evening Post*, 8 December 1943, p. 7

the Petone Borough Council's deputy mayor and some councillors similarly replied that housing on Māori land at Waiwhetū was outside of their jurisdiction and encouraged the Waiwhetū Tribal Committee to instead contact the Minister of Native Affairs.²⁰¹ Research for this report has been unable to find evidence of how many Waiwhetū whānau preferred to have their new homes interspersed with Pākehā houses, but a 1947 ministerial memorandum indicated that at least one Waiwhetū individual requested 'that his house be not allotted within the block set aside for Maori families'. This memorandum also recorded that a 'number ... [of families] ... favour living together'.²⁰² It is clearer that local councils in this situation preferred to leave housing policy decisions to central government and that many Waiwhetū Māori wished to remain living together in a community.

Waiwhetū rangatira Ihāia Pōrutu (Paddy) Puketapu campaigned to keep his community housed together. Puketapu was concerned that 'pepperpotting' would lead to assimilation and a loss of community and cultural identity. He led efforts to maintain and rebuild his community by lobbying the Prime Minister Peter Fraser and Walter Nash (his local MP). Puketapu pointed to the construction of state houses together on one street where Ngāti Whātua Ōrakei were rehoused after their land was taken. Nash, then the Minister of Finance, supported Puketapu (who was a founding Labour Party member) and successfully fought state housing officials who strongly defended their 'pepperpotting' policy. He ensured that new state houses for this community were built together next to land put aside for a future marae on the western banks of the Waiwhetū stream (see Figure 3.7 below for a 1947 plan of this settlement with the houses clustered around a marae). In 1948, 24 brick rental houses were built on the newly created street, which was appropriately named Puketapu Grove. Some of these houses were larger than standard state houses (which usually had two or three bedrooms) with four or five bedrooms to accommodate this community's larger families.²⁰³ As noted by Ben Schrader, 'Waiwhetu became a rare exception to the pepperpotting policy because of one Maori community's determination not to be swallowed by the mainstream'.²⁰⁴

²⁰¹ 'Maori Lands', *Evening Post*, 14 December 1943, p. 4

²⁰² 'Memorandum for the Hon. Minister in Charge of State Advances Corporation', 19 December 1947, 'Housing – Survey of Maori Housing – Waiwhetu', R11839879, Archives NZ, Wellington

²⁰³ 'New House-Building Methods', *Bay of Plenty Times*, 6 November 1948, p. 3; See also Schrader, *We call it home*, pp. 57-59; Hutt Valley Tribal Committee, *The Story of "Arohanui ki te Tangata", the meeting-house of "Goodwill to all Men", Waiwhetu, Lower Hutt City*, pp. 11-12

²⁰⁴ Schrader, *We call it home*, pp. 57-59



Figure 3.7: ‘In this plan for the Māori housing settlement at Waiwhetu, Lower Hutt (c. 1947), houses are clustered around a marae, with the Waiwhetu Stream in the foreground. The complex subsequently built closely resembled this plan’, ‘Māori housing street plan’, <https://nzhistory.govt.nz/media/photo/maori-housing-street-plan>, (Ministry for Culture and Heritage), updated 21-Jul-2014, (accessed 7 June 2022)

In 1987, the Waiwhetū people purchased 23 state rental houses (one had already been purchased by its occupant) on Puketapu Grove from the Crown at market rates with a 30-year collective mortgage for all of the dwellings at an initial interest rate of 17 per cent. In 2005, this mortgage was fully repaid. Half of the land taken for state housing was never used for this purpose and instead is used as council sports fields, or was sold to churches. The legacy of land loss has continued to create obstacles for this community to address its housing needs as the remaining state houses on their former land are not currently available for purchase and houses on general land in this area are often too expensive for Waiwhetū whānau to buy.²⁰⁵ While the Waiwhetū community was, along with Ōrākei, an exception to the government’s policy of pepper-potting Māori whānau in state housing, this case study also shows wider national trends. In common with many other Māori communities around the country, health

²⁰⁵ Michaels, ‘A summary history of the Waiwhetu Lands’, p. 14, p. 39; Brittany Keogh, ‘Crown took Te Āti Awa land for housing, now mana whenua can’t afford to live there’, <https://www.stuff.co.nz/pou-tiaki/our-truth/123998588/our-truth-t-mtou-pono-crown-took-te-ti-awa-land-for-housing-now-mana-whenua-cant-afford-to-live-there> (accessed 1 August 2022)

concerns prompted investigations into housing conditions, land loss made it difficult to improve housing conditions, and Māori were encouraged to assimilate.

3.9 How did the Māori community at Pāpāwai seek to address their community's housing needs?

As discussed earlier in this report, housing conditions at Pāpāwai in the Wairarapa had significantly declined in the early twentieth century due to land loss and lack of funds to maintain the weatherboard houses constructed there in the late nineteenth century. In 1933, University of Otago medical students, Graham Cowie and Robert Wilson, conducted a housing survey of eight papakāinga in the Wairarapa, including Pāpāwai, and reported that most of the dwellings they visited were 'dilapidated' and lacked adequate water supplies. Pāpāwai's houses showed that this had formerly been a prosperous community, but its inhabitants were unable to afford to maintain their homes whose initial construction was funded by borrowing against their land and the sale of their timber.²⁰⁶

In October 1934, Te Heke-rangatira-ki-Nukutaurua (Ngāti Moe) wrote to Ngata asking for help to rebuild Pāpāwai following a storm with hurricane-force winds, which had damaged this community's homes and meeting houses.²⁰⁷ Heke Boyd (as she was more commonly known as) was an interpreter and Pāpāwai trustee.²⁰⁸ She wrote to Ngata:

You have no doubt heard from Judge Harvey how our meeting houses and homes suffered from the severe storm which swept the Wairarapa last week. Considerable damage was done. All the windows of my houses were broken and the verandah collapsed ... Yesterday ... a meeting of our people was held ... I have been instructed to write to you and ask that representation be made to the Unemployment Board to use some of the Maori unemployed relief workers on this renovation scheme.²⁰⁹

The Unemployment Board provided relief work for unemployed workers including Māori around Aotearoa during the depression in the early 1930s.²¹⁰ Boyd also asked Ngata to disband the current committee, which was formed in 1929 to renovate this community's meeting houses. She acknowledged that this committee had been successful in installing electric lights and a water supply for this

²⁰⁶ Waitangi Tribunal, *Wairarapa ki Tararua Report*, p. 350; Stirling, 'Wairarapa Maori and the Crown', p. 298

²⁰⁷ Heke Boyd, 'Letter to Apirana Ngata', 8 October 1934, 'Papawai Pa Buildings', 1934–1935, R4556326, Archives NZ, Wellington

²⁰⁸ Angela Ballara, 'Boyd, Te Heke-rangatira-ki-Nukutaurua', *Dictionary of New Zealand Biography*, first published in 2000, updated June 2017. *Te Ara - the Encyclopedia of New Zealand*, <https://teara.govt.nz/en/biographies/5b38/boyd-te-heke-rangatira-ki-nukutaurua> (accessed 13 September 2022)

²⁰⁹ Heke Boyd, 'Letter to Apirana Ngata', 8 October 1934, 'Papawai Pa Buildings', 1934–1935, R4556326, Archives NZ, Wellington

²¹⁰ Harris, 'Persistence and Resilience, 1920–1945', p. 325

community, but criticised its failure to maintain the community's buildings. Boyd proposed to Ngata that she would 'levy a tax' to help build up this community's renovation fund, but needed his help to ensure that unemployed Māori in the Wairarapa could receive money to help restore Pāpāwai's buildings. She also suggested that the cost of their wages could be charged against her community's land interests in Pouākani.²¹¹

Following her letter, Ngata made inquiries and recommended that the government provide some financial support for rebuilding at Pāpāwai. He wrote to the Minister of Public Works John Bitchener asking him to arrange for this department's officials to inspect the storm damage at Pāpāwai and provide an estimated cost for the repairs. Ngata suggested that Public Works Department officials contact Heke Boyd who would show them the extent of the damage to buildings at Pāpāwai.²¹² He also wrote to the Prime Minister recommending a government contribution towards the renovation of Pāpāwai buildings and to provide an advance on 'the security of the Pouakani block'.²¹³ In response to these recommendations, the Minister for Public Works provided a detailed quote for repairs to the two meeting houses at Pāpāwai.²¹⁴ It is unclear if this work was carried out and whether this storm damage was repaired during the 1930s.

During the early 1940s, Pāpāwai Māori continued to ask for government support to improve housing conditions at Pāpāwai. Paraire Paikea (Te Uri-o-Hau and Ngāti Whātua), a Rātana leader and Member of the Executive Council representing Māori, wrote to the Native Minister about his recent visit to Pāpāwai:

Strong representations were made to me at a large and representative meeting of Maoris and Pakehas at Papawai ... with regard to the condition of Maori housing ... [at Pāpāwai] and other areas in the Wairarapa ... It was desired that a comprehensive Housing survey should be undertaken ... I should be pleased if you would advise me whether such a survey could be instituted in the interests of the Maori population in Papawai and Greytown.²¹⁵

²¹¹ Heke Boyd, 'Letter to Apirana Ngata', 8 October 1934, 'Papawai Pa Buildings', 1934–1935', R4556326, Archives NZ, Wellington

²¹² A.T. Ngata, 'Memorandum for the Hon. J. Bitchener, Minister of Public Works', 30 October 1934, 'Papawai Pa Buildings', 1934–1935, R4556326, Archives NZ, Wellington

²¹³ A.T. Ngata, 'Memorandum for the Right Hon. the Prime Minister', 30 October 1934, 'Papawai Pa Buildings', 1934–1935, R4556326, Archives NZ, Wellington

²¹⁴ John Bitchener, 'Memorandum for the Hon. Native Minister', 23 November 1934, 'Papawai Pa Buildings', 1934–1935, R4556326, Archives NZ, Wellington

²¹⁵ 'Report on Housing Survey of Greytown District undertaken by Mr. Katene in 1937', 'Housing – Housing Survey – Papawai – Greytown', 1941–1958, R11840094, Archives NZ, Wellington

Paikea stated that he had explained at this hui the need for any house building to be economically feasible (with applicants able to afford repayments) and that locals had reassured him that this was the situation in most cases.²¹⁶

Two months later, Rex Mason, the Minister of Native Affairs responded to Paikea describing the challenges to improving housing on Māori land around the country and provided detailed housing information that his department had already collected regarding Pāpāwai. He stated that substandard housing conditions were not unique to Pāpāwai and Paraire would be aware that ‘the living conditions of Maori people are universally bad’.²¹⁷ Moreover, the main challenge was that many Māori were unable to afford deposits to build houses on their land and that the special housing fund (which, as noted earlier in this chapter, was established to provide security for loans) was ‘over-committed’. The lack of money provided to this special housing fund significantly constrained the Board of Native Affairs in arranging the construction of more houses on Māori land. Another barrier was the Second World War, which (as also discussed earlier) constrained the Department of Native Affairs’ housing programme as building materials and labour were needed for ‘urgent military purposes’. The Native Affairs Minister claimed that another challenge was Māori ‘who had the necessary security and who are in a position to help themselves are not prepared to utilise their resources in the direction of building homes ... little can be done without the co-operation of the people’. Enclosed with the Native Affairs Minister’s letter was a report with information about Pāpāwai housing conditions (based on a 1937 housing survey carried out by a Native Affairs official and then updated to 1941) and the limited government support provided to this community during the late 1930s and early 1940s.²¹⁸

According to this report, the Native Housing Act 1935 and the Native Housing Amendment Act 1938 provided housing loans for six Pāpāwai households, 22 other households in this community did not receive government housing assistance.²¹⁹ The first housing loan made available at Pāpāwai was for £350 in 1938. This money was used to dismantle and rebuild an older house, which was completed in

²¹⁶ ‘Report on Housing Survey of Greytown District undertaken by Mr. Katene in 1937’, ‘Housing – Housing Survey – Papawai – Greytown’, 1941–1958, R11840094, Archives NZ, Wellington; See also ‘Visit to Papawai Pa’, *Wairarapa Times Age*, 20 October 1941, Clipping, ‘Housing – Housing Survey – Papawai – Greytown’, 1941–1958, R11840094, Archives NZ, Wellington

²¹⁷ ‘Memorandum for Hon. P.K. Paikea’, 10 December 1941, Housing – Housing Survey – Papawai – Greytown’, 1941–1958, R11840094, Archives NZ, Wellington

²¹⁸ ‘Memorandum for Hon. P.K. Paikea’, 10 December 1941, Housing – Housing Survey – Papawai – Greytown’, 1941–1958, R11840094, Archives NZ, Wellington; ‘Report on Housing Survey of Greytown District undertaken by Mr. Katene in 1937’, ‘Housing – Housing Survey – Papawai – Greytown’, 1941–1958, R11840094, Archives NZ, Wellington; Waitangi Tribunal, *Wairarapa ki Tararua Report*, p. 352

²¹⁹ ‘Report on Housing Survey of Greytown District undertaken by Mr. Katene in 1937’, ‘Housing – Housing Survey – Papawai – Greytown’, 1941–1958, R11840094, Archives NZ, Wellington; Waitangi Tribunal, *Wairarapa ki Tararua Report*, p. 352

1940. The Department of Native Affairs advised another Pāpāwai resident to find a house to purchase for the sum of approximately £400. Under the special housing fund, a Pāpāwai household was provided with a loan of £400 to build a house, which was also completed in 1940. Another household received £300 from the special housing fund and their home was completed in 1941. One Pāpāwai resident used their £270 special housing fund loan to purchase a new house in Hastings. Not all residents applied for or needed housing assistance with 15 residents described as ‘no assistance required’ or ‘no application lodged’.²²⁰ Title difficulties delayed the construction of a new dwelling for another Pāpāwai household, which received a £350 loan in 1939.²²¹

Some Pāpāwai residents applied for government housing loans, but were not approved because they lacked sufficient income to make repayments or to afford a deposit. One man made an application in October 1937 and was asked to provide a deposit of £45 despite being described as ‘an indigent case’. He did not proceed with this application after being informed of this deposit requirement and subsequently left Pāpāwai to move to Martinborough. One woman’s application for assistance was declined because her sole income was a widow’s pension and, according to this report, because ‘in view of her personal character [she] was not considered worthy of assistance’.²²²

The Pāpāwai case study demonstrates how the Native Affairs’ housing programmes provided limited assistance for building and maintaining housing on Māori land during the 1930s and 1940s. The case study has also discussed how housing surveys revealed a significant need for government housing support, and attempts by local Māori to encourage government officials to provide financial assistance to improve housing conditions at Pāpāwai.

3.10 Conclusion

During the 1930s and 1940s, successive governments introduced more wide-ranging policies relating to housing including specific housing policy for Māori. This housing policy included providing mortgages through the Native Affairs Department as part of the land development schemes and under the provisions of the Native Housing Act 1935 and its 1938 amendment. The Crown’s response to substandard living conditions revealed by housing surveys and censuses was constrained by the onset of the Second World War.

²²⁰ ‘Report on Housing Survey of Greytown District undertaken by Mr. Katene in 1937’, ‘Housing – Housing Survey – Papawai – Greytown’, 1941–1958, R11840094, Archives NZ, Wellington; See also Stirling, ‘Wairarapa Maori and the Crown’, p. 324

²²¹ ‘Report on Housing Survey of Greytown District undertaken by Mr. Katene in 1937’; See also Stirling, ‘Wairarapa Maori and the Crown’, p. 324

²²² ‘Report on Housing Survey of Greytown District undertaken by Mr. Katene in 1937’

In practice, Māori were excluded from the state housing programme until the mid-1940s, on the basis that the Department of Native (Māori) Affairs would attend to their housing needs. The government constructed state houses for the general population to a higher standard, including providing hot-water cylinders and larger dwellings, than the houses built by the government on Māori land. Smaller houses were built for Māori families than were required in an attempt to make housing payments affordable for these whānau despite calls for increased funding to ensure all homes built on Māori land were big enough for their number of inhabitants.

Ngāti Whātua Ōrākei and the Te Āti Awa people of Waiwhetū struggled to provide and improve housing conditions for their people as the Crown used Public Works legislation to acquire their land. These two communities managed to acquire state housing clustered together instead of being pepper-potted, but had to rent state houses on land that they had formerly owned. It was not until after the period covered in this chapter that these communities were able to begin to reclaim their land. These case studies reflect how fragments of Māori land on the edges of emerging cities were alienated during the twentieth century.

This chapter returned to the Māori community at Pāpāwai to examine how members of this community sought to improve their housing conditions during the 1930s and 1940s, but land loss and lack of government financial assistance curtailed attempts to improve housing for all members of this community. This community provides an example of how housing surveys and Māori housing legislation, discussed earlier in this chapter were carried out in practice in a rural Māori community in the 1930s and 1940s.

Part Two: 1950–2021

A timeline of relevant legislation, government departments, and events 1950–2021

1950	Māori Purposes Act 1950
1951	Māori Women's Welfare League established
1952	Māori Land Amendment Act 1952
1953	Māori Affairs Act 1953 Town and Country Planning Act 1953
1955	Housing Act 1955
1958	Department of Māori Affairs introduces no-deposit scheme for home construction loans Family Benefits (Home Ownership) Act 1958
1961	Hunn Report
1962	Māori Welfare Act 1962
1965	Prichard–Waetford Report
1967	Māori Affairs Amendment Act 1967
1970	Commission of Inquiry into Housing established
1972	National Housing Commission Act 1972
1974	Housing Corporation Act 1974 Housing Corporation of New Zealand established
1975	Whina Cooper leads Land March/Hīkoi
1977	Bastion Point occupation Town and Country Planning Act 1977
1978	Māori Trustee Board approves land improvement and subdivision finance for mostly rural areas
1981	Springbok Rugby Tour
1982	New Zealand Planning Council publishes <i>Ngā Whakaaro- A viewpoint on Māori issues</i>
1983	New Zealand Māori Council publishes <i>Kaupapa: Te wahanga tuataki: A discussion paper on Māori affairs legislation</i>
1987	Papakāinga Lending Scheme established (ends 2008)

1988	New Ministry of Housing established Royal Commission on Social Housing established Te Puni Kōkiri publish <i>Review of the Ministry of Housing: Service Delivery to Māori</i>
1989	Māori Affairs Restructuring Act 1989
1991	Māori Women's Housing Research Project published <i>For the Sake of Decent Shelter</i> Resource Management Act 1991
1992	Housing Restructuring Act 1992 Community Housing established Social Policy Agency established
1993	Social Security Amendment Act 1993 Te Ture Whenua Māori Act 1993 Housing Assets Transfer Act 1993
1994	Low Deposit Rural Loan Scheme established
2000	Special Housing Action Zones established
2001	Housing New Zealand Corporation Established (ends 2018) Rural Housing Programme established (ends 2011)
2002	Local Government Act 2002
2005	National Housing Strategy 'Building the future' released
2007	Local Government Rates Inquiry
2008	Global Financial Crisis Māori Demonstration Partnership fund established
2010	Kāinga Whenua established Social Housing Unit established (ends 2015)
2011	Office of the Auditor-General publishes first performance audit <i>Government planning and support for housing on Māori land</i>
2012	Kāinga Whenua Project Capability established (ends 2015) Pūtea Māori established
2013	Housing Accords and Special Housing Areas (HASHA) Act 2013 Kāinga Whenua Infrastructure Grant established
2014	<i>He Whare Āhuru He Oranga Tāngata – The Maori Housing Strategy</i> published

	Māori Housing Fund established
2015	Māori Housing Network established Whānau Housing Response Fund established Whānau Housing Support Fund established
2018	Housing New Zealand established (ends 2019) Kiwibuild established Ministry of Housing and Urban Development established Te Ara Mauwhare established (ends 2022) Whānau-centred community development project funding Te Arawhiti (The Office for Māori Crown Relations) established and incorporates the former Office of Treaty Settlements.
2019	Kāinga Ora established Progressive Home Ownership fund Te Puni Kōkiri publishes new Māori Housing Investment Strategy Whenua Māori Programme established
2020	Covid-19 pandemic begins Ihumātao occupation Whai Kāinga Whai Oranga funding announced
2021	<i>MAIHI Ka Ora: The National Māori Housing Strategy 2021-2051</i> published

Chapter Four: Housing loans and amendments to Māori housing legislation, 1950–1984

‘Assimilation is bringing the Māori to the point where he accepts the individual home’¹

4.1 Introduction

This chapter describes three decades of government reluctance to tackle issues associated with housing on Māori land between 1950 and 1984. The first part of the chapter examines how the Crown monitored and informed itself about Māori housing needs and preferences through censuses, surveys, government reports, and commissions of inquiry. The key social context to Crown policy during the period under examination was the large scale urban migration of Māori from rural to urban centres, which prompted a shift in focus for government housing policy for Māori from support for housing on Māori land in mostly rural areas to the provision of urban rental and then owner-occupied housing on general land.² Significantly, government housing policies were underpinned by a strategy of Māori integration into Pākehā society, a strategy reinforced by the 1961 Hunn Report and reiterated by the 1965 Prichard–Waetford Report. The Crown viewed the persistence of multiply-owned Māori land as incompatible with this agenda, regardless of whether this land was rural or urban.

The focus of the second part of the chapter examines how the Crown responded to housing needs on Māori land and the effectiveness of these housing programmes. It explores the Department of Māori Affairs loans for building new houses, loans for kaumātua flats, and loans for housing repairs. It also discusses how Māori accessed more general government housing assistance during this period including State Advances (Housing Corporation) loans and the family benefit capitalisation. Overall, these policies were reasonably effective in building new houses and kaumātua flats. However, as will be discussed in this section, there were some constraints to the full effectiveness of these programmes, which limited their ability to fully respond to Māori housing needs.

The final section discusses how Crown legislation (especially town planning legislation) and policies impacted housing on Māori land. This section includes the chapter’s case studies. The first case study

¹ E.B. Corbett, *The Maori Today*, Wellington: Government Printer, 1956, p. 15

² Brian Murton, ‘The Crown and the Peoples of Te Urewera, 1860–2000: The Economic and Social Experience of a People’, 2004, (Wai 894, # H12 (Part V)), p. 1943

of Te Kūhā-Waimako (in the Gisborne Region) demonstrates how these legislation and policies could constrain or facilitate the construction of housing on Māori land. The second case study then examines how Crown legislation and policies made it difficult for Māori in the Tauranga area to remain housed and to build new housing on their land as the city expanded to encompass their rohe.

4.2 How did the Crown monitor and inform itself of Māori housing needs and preferences with respect to Māori land, including through government inquiries such as the 1970 Commission of Inquiry into Housing?

Monitoring of Māori housing conditions carried out in communities across the country by a variety of individuals and organisations (including census enumerators, government officials, and the Māori Women's Welfare League) provided the Crown with an assessment of Māori housing needs. The impact of substandard housing on the health of rural Māori remained a concern for the Crown into the second half of the twentieth century. District Officers and then Māori Welfare Officers collected information on housing conditions in 'depressed areas' in 1955. Between 1961 and 1965, Māori Welfare Officers carried out a follow-up survey with families identified in 1955. As noted by Brian Murton in his research report for the Te Urewera district inquiry: 'The results confirmed that there were still many Māori families in isolated areas living in unsound or overcrowded houses'.³ A lack of amenities in Māori houses was confirmed by census data, while the 1970 Commission of Inquiry into Housing noted the poor condition of Māori rural housing, but did not know how to resolve this issue. The 1970s saw Māori land protests and increasing calls from Māori for self-determination, with Māori increasingly informing the Crown about Māori housing needs and the barriers to Māori housing aspirations.

The 1951 census revealed that the Māori population numbered 115,676, made up of 66.5 per cent 'full' Māori, 13.1 per cent 'three-quarter' Māori, and 20 per cent 'half' Māori. While the Māori population had increased by 16,669 people since the 1945 Census, 20,525 people with Māori whakapapa were classified with the European population in 1951 (in contrast to 17,966 in 1945) as they were considered nearer to Europeans in blood than Māori.⁴ The 1951 Census highlighted the youthfulness of the Māori population, with around 46 per cent of Māori under the age of 15 years; only 26 per cent were 30 years or older.⁵ However, Māori over 40 years of age held the most land, and by 1951 their numbers had increased by 50 per cent compared to 1926 (18,420 versus 12,554). The Crown saw the succession of

³ Murton, 'The Crown and the Peoples of Te Urewera, 1860–2000: The Economic and Social Experience of a People', pp. 1949–1957

⁴ Census and Statistics Department, *Population Census, 1951. Vol. VI - Maori Census*, Wellington: Government Printer, 1954, p. 4

⁵ 'Annual Report of the Board of Maori Affairs', AJHR, 1956, G-9, p. 3

Māori to their parents' respective land interests, along with population increase, as threatening to overwhelm the land title system introduced in the previous century.⁶ The 1951 census also revealed persistent economic and housing disparities between Māori and Pākehā. For example:

- 15 per cent of Māori compared to 46 per cent of Europeans earned over £500 per annum
- There were 5.5 occupants on average in a Māori house compared to 3.5 on average in a European house
- 42 per cent of Māori dwellings had less than four rooms compared to 13 per cent of European dwellings.⁷

In 1951, the Māori Women's Welfare League was established, with an organisational structure similar to that of tribal committees. Māori Affairs supported the League to undertake activities 'centred around home, mother and child'.⁸ The League's goals were aligned with the government's integrationist agenda. However, their interests and activities belied their conservative constitution, with housing at the forefront of their efforts in the early years. In particular, they focused on the poor housing conditions of Māori migrating to Auckland, criticising the government for wanting Māori there as workers, but not providing the adequate housing that would show that the government wanted Māori to stay and live in Auckland.⁹ Te Rōpū o Te Ora Women's Health League, an organisation of Māori and Pākehā women formed in 1937 in Rotorua to help ensure the health of the people of the district, were asked to merge with the Māori Women's Welfare League but declined. They had been lobbying the Department of Māori Affairs throughout the 1940s to build housing for pensioners and young couples who had no shares in land. By 1952, Māori Affairs had built 645 houses in the Rotorua district. Te Rōpū o Te Ora Women's Health League's success as an independent voluntary organisation was at the heart of their refusal to join the Māori Women's Welfare League.¹⁰

Poor Māori housing conditions also persisted in rural contexts. In his Whakatōhea research report, historian Tony Walzl drew on a 1950s survey of the housing and health conditions of nineteen families

⁶ I.H. Kawharu, *Maori land tenure: Studies of a changing institution*, New York: Oxford University Press, 1977, pp. 107-8; S.G. Holland, 'Housing Policy', AJHR, 1950, J-6, pp. 10-11

⁷ Census and Statistics Department, *Population Census, 1951. Vol. VI - Maori Census*, 1954; 'Annual Report of the Board of Maori Affairs', AJHR, 1956, G-9, p. 3

⁸ 'Annual Report of the Board of Maori Affairs and of the Secretary, Department of Maori Affairs', AJHR, 1954, G-9, p. 33

⁹ Aroha Harris and Melissa Matutina Williams, *Te Ao Hurihuri: The changing world 1920-2014: Tangata Whenua: An illustrated history, part three*, Wellington: Bridget Williams Books, 2018, pp. 55-56

¹⁰ Raina Meha, 'Te Ropu o te Ora Women's Health League 1937-1933', 1993, *New Zealand History*, <https://nzhistory.govt.nz/women-together/te-ropu-o-te-ora-womens-health-league> (accessed 17 March 2023); Laurie Morrison, 'Te Ropu o te Ora Women's Health League 1994-2018', 2018, *New Zealand History*, <https://nzhistory.govt.nz/women-together/te-ropu-o-te-ora-womens-health-league> (accessed 17 March 2023)

(62 adults, 83 children) living in Waiōweka Pā. The condition of 10 of the 19 houses that the families occupied was described as satisfactory, while nine were in unsatisfactory condition.¹¹ The satisfactory housing was most likely the nine new state houses and the one privately built house, with the implication being that the agreement of the community to a plan for division meant the ‘new houses’ they then gained were not owner-occupied but rather state rental housing.¹² The remaining ‘substandard shacks’ meant that nearly one third of the adults (29 per cent) and more than one third of the children (36 per cent) had urgent housing needs. In addition to this substandard housing, there were potential health issues associated with the community’s infrastructure (including its stormwater drains and wastewater system). Cerebral meningitis was found in the area in 1974. A health inspector connected this to the community’s housing conditions and sent a report to Māori Affairs and the State Advances Corporation.¹³ It is unclear if any action was taken as a result.

Social anthropologist Joan Metge discussed housing in her study of a Māori rural community in Northland during the 1950s. Metge gave this community the pseudonym of Kōtare to protect the anonymity of its inhabitants.¹⁴ She described housing conditions in this community and the constraints to improving these conditions:

Among Kōtare Maoris in 1955, the range in housing standards was considerably greater than that in income (even on a per capita basis), ranging from definitely sub-standard to brand-new and spacious. Nor was income always adequately reflected in housing ... improvement in housing ... was retarded by the multiple ownership of so much land in Kōtare ... cutting a house section out of a block with many owners cost so much and took so long that many part-owners had bought and built on freehold sections in Te Kāinga instead.¹⁵

More housing in Kōtare was on Māori land than other types of land tenure. There were 37 households on Māori land whose ownership was shared between relatives, 13 households living in homes on individually owned Māori land, and 25 households living in homes on freehold land. Metge stated that those inhabiting ‘family houses’ on Māori land did not pay rent to other family members who had an interest in this land, but instead ‘shouldered the burden of [housing] loan repayments, rates and

¹¹ Tony Walzl, ‘Whakatōhea: Ngā Take o Te Rau Tau 1900 Me Ngā Hua o Ngā Ōhanga Ā Pāpori I Te Raupatu: File Research Report on Twentieth-century land administration and socio-economic issues’, Wellington, 2018, p. 109; See also Amended Statement of Claim, 2018, (Wai 2750, #1.1.4), pp. 9-10

¹² Walzl, ‘Whakatōhea: Ngā Take o Te Rau Tau 1900 Me Ngā Hua o Ngā Ōhanga Ā Pāpori I Te Raupatu: File Research Report on Twentieth-century land administration and socio-economic issues’, p. 108

¹³ Walzl, ‘Whakatōhea: Ngā Take o Te Rau Tau 1900 Me Ngā Hua o Ngā Ōhanga Ā Pāpori I Te Raupatu: File Research Report on Twentieth-century land administration and socio-economic issues’, p. 110; See also Amended Statement of Claim, 2018, (Wai 2750 #1.1.4), pp. 9-10

¹⁴ Joan Metge, *A new Maori migration: Rural and urban relations in northern New Zealand*, London: The Athlone Press, University of London, 1964, p. 5

¹⁵ Metge, *A new Maori migration*, p. 41

maintenance'.¹⁶ According to Metge, a quarter of the houses in this community were 'land development houses' on Māori land which were built by the Department of Māori Affairs during the 1930s and 1940s (as part of the Māori land development scheme described in detail earlier in this report). She stated that housing conditions were changing in this community with renovations being carried out on many of the older homes, while other families were saving to build new houses and arranging home loans through the Department of Māori Affairs.¹⁷ Metge noted that many whānau remained living in this community despite working in another town because they owned Māori land that they had built a house on, or had purchased reasonably priced general land for housebuilding.¹⁸



Figure 4.1: 'A new house and the "bach" it replaces',
in Joan Metge, *A new Maori migration. Rural and urban relations in northern New Zealand*, London: The Athlone Press, University of London, 1964, Plate 3(b)

For Māori living in rural townships and homesteads, the years between 1950 to 1980 were marked by increasing outward migration of residents leaving for cities or cities engulfing previously rural Māori communities (for example, the case study of Tauranga, discussed later in this chapter). By 1956, over a third (35 per cent) of the Māori population was urban (see Figure 4.2).¹⁹ The 1956 Census showed

¹⁶ Metge, *A new Maori migration*, p. 41

¹⁷ Metge, *A new Maori migration*, pp. 42-43

¹⁸ Metge, *A new Maori migration*, p. 45

¹⁹ Andrew Coleman, Sylvia Dixon, and David C. Maré, 'Māori economic development – Glimpses from statistical sources, Motu Working Paper 05-13', Wellington: Motu Economic and Public Policy Research, 2005, p. 33

improvements in Māori housing conditions, but also ongoing housing inequities. In 1956, 82.1 per cent of Māori were living in ordinary private dwellings (namely houses), compared to 87.4 per cent of non-Māori (Table 4.1).²⁰

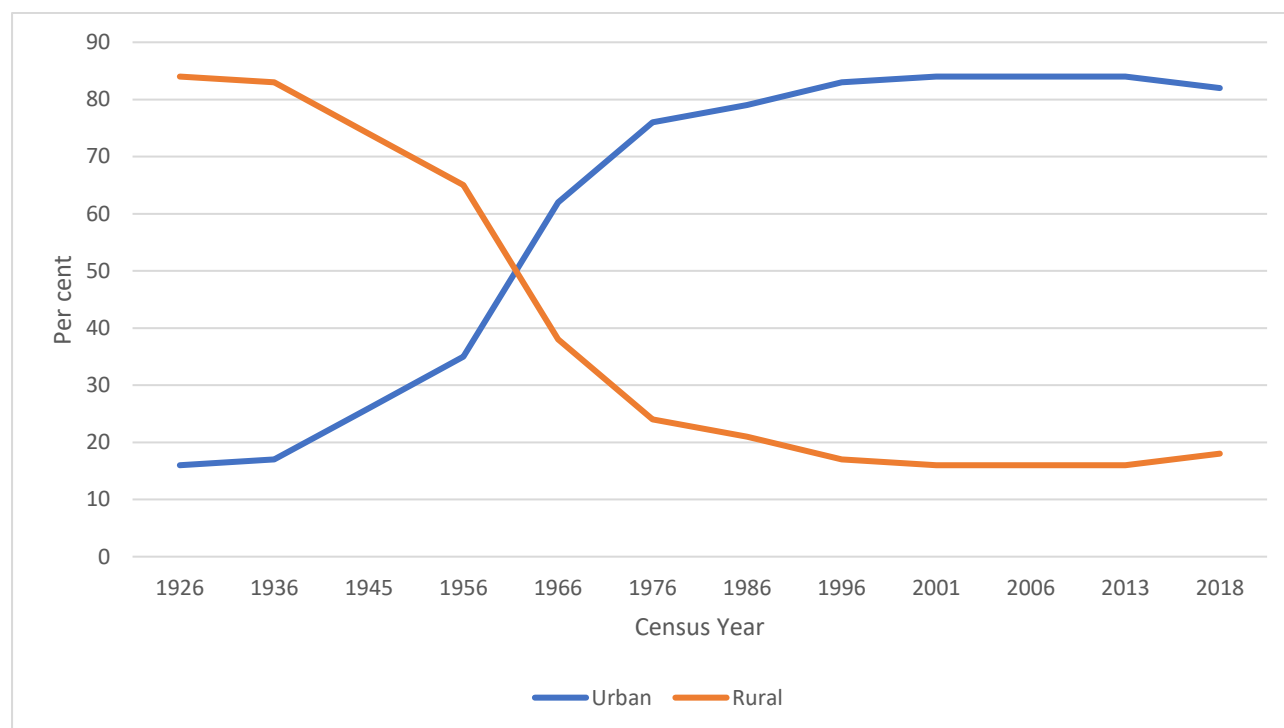


Figure 4.2: Urbanisation of Māori – 1926–2018, Andrew Coleman, Sylvia Dixon, and David C Maré, ‘Māori economic development – Glimpses from statistical sources. Motu Working Paper 05–13’, 2005, p. 33; Data sourced from Ian Pool, *Te Iwi Māori: A New Zealand Population, Past, Present and Projected*, Auckland: Auckland University Press, 1991 for 1926–86. 1991 and 2001 from Statistics New Zealand tables. Addition of 2006 and 2013 from Statistics New Zealand tables.

Responses to the amenities question asked in the 1956 Census provided more insights into Māori housing condition, although these statistics were not disaggregated by location or type of land houses were sited on (see Table 4.2 below). In 1956, around half of Māori dwellings had a piped water supply or hot water service. Baths or showers were more common (57.7 per cent), but less than one third had a flush toilet. Māori dwellings were therefore very underserved by way of amenities that were common in non-Māori dwellings.²¹ The Department of Māori Affairs sought to tackle a lack of amenities in

²⁰ Māori and non-Māori housing types, Māori and non-Māori housing amenities, Census 1956 (Department of Statistics, *New Zealand Population Census 1956. Volume VIII Māori population and dwellings*, 1960, p. 27

²¹ Māori and non-Māori housing types, Māori and non-Māori housing amenities, Census 1956, p. 27

Māori houses by establishing an amenities standard in its plans for new houses. According to a 1955 Māori Affairs Department brochure:

All the Department's many plans have been designed to give you the best value for your money. They include modern kitchens with plenty of cupboard space, electric heating with plenty of hot water, built-in wardrobes, coat and linen cupboards and usually a separate W.C.²²

By 1960, Māori urban migration had proven to be greater and more permanent than anticipated when the Māori Social and Economic Advancement Act 1945 was passed. Walter Nash (Prime Minister and Minister of Māori Affairs in the 1957–1960 Labour Government) reiterated his government's commitment to the integration of the increasingly urban Māori population. He stated

it has long been the conviction of successive New Zealand Governments, and of the majority of both races, that for this country integration is not only the best path to follow but ultimately and inevitably the only path that will lead to the development of a happy, harmonious, and progressive community.²³

To this end Nash asked Jack Hunn, the Acting Secretary for Māori Affairs, to review the Department of Māori Affairs. Nash's concerns included the 'fragmentation of ownership interested in Māori land – particularly the consequent locking-up of would-be productive farmland'.²⁴ At the beginning of his review, Hunn commissioned nine interdepartmental research teams to undertake inquiries (into policies, statistics, and operational matters) and consultations about Māori, including Māori housing, land settlement and titles, and legal differentiation.²⁵ Historian Richard Hill argued that these inquiries 'made clear that Māori continued to lag far behind pakeha in all socioeconomic indicators, and remained an essentially marginalised people'.²⁶ In describing the adjustment of Māori to 'modern life', Hunn distinguished between three broad groups, those who had 'assimilated' – Group A, those who had become 'integrated' – Group B, and those who were the least adjusted – Group C, as follows:

- a. A completely detribalised minority whose Maoritanga is only vestigial.
- b. The main body of Maoris, pretty much at home in either society, who like to partake of both (an ambivalence, however, that causes psychological stress to some of them).

²² Design Advisory Service, *Department of Māori Affairs brochure*, 1955; See also Matjato Neo Moteane, 'Maori Housing Programme in New Zealand - Its history, services currently offered and issues of major concern', Research dissertation, Bachelor of Architecture, Victoria University of Wellington, 1984, Appendix 1, p. 77

²³ W. Nash, 'Foreword: Department of Maori Affairs Annual Report', AJHR, 1960, G-9, p. 5; David Williams, 'The continuing impact of amalgamation, assimilation and integration policies', *Journal of the Royal Society of New Zealand*, 49, S1, 2019, p. 4

²⁴ Hill, *Māori and the State: Crown-Māori relations in New Zealand/Aotearoa, 1950–2000*, Wellington: Victoria University Press, 2009, p. 89

²⁵ Hill, *Māori and the State: Crown-Māori relations in New Zealand/Aotearoa, 1950–2000*, p. 90

²⁶ Hill, *Māori and the State: Crown-Māori relations in New Zealand/Aotearoa, 1950–2000*, p. 91

- c. Another minority complacently living a backward life in primitive conditions.²⁷

While Hunn recommended that those in Group B be left to make a personal choice about whether they remained as they were or joined Group A, he said ‘the object of policy should presumably be to eliminate Group C by raising it to Group B’.²⁸

When the separate reports were completed, Hunn integrated them into the 1960 report that he described as a discussion document. The Hunn Report’s housing section used data from the 1956 Census to highlight the overcrowded and substandard housing conditions that Māori were living in, and recommended that the yearly supply of new dwellings for Māori should more than double (from around 700 to 1,600 per year) for the next 10 years.²⁹ To Hunn, Māori were better off establishing new tūrangawaewae than staying on their ancestral land.³⁰ Hunn stated:

It would be a good thing if the Maori people with their customary realism, could come to regard the ownership of a modern home in town or country as a stronger claim to speak on the marae than ownership of an infinitesimal share in scrub country that one has never seen.³¹

Increased funding for the Department of Māori Affairs was designed to eliminate the difference between the state of Māori and Pākehā housing.³² At the same time, issues related to mortgage lending, and obtaining permission to build on their share of their land meant that home ownership on multiply-owned land was out of reach for most Māori.³³

The new National Government’s Minister of Māori Affairs Ralph Hanan released this report in January 1961. According to Hill, the report did not reflect Māori aspirations for rangatiratanga, favouring instead the ‘final blending’ of Māori into the culture of Pākehā.³⁴ Hunn’s report stated that improved housing would have the most ‘immediate impact’ on improving Māori health, but also argued that in the long-term Māori becoming better educated would be most effective ‘for the cause of Maori

²⁷ J.K. Hunn, ‘Report on Department of Maori Affairs with Statistical Supplement’, Wellington; Government Printer, 1961, Hunn, ‘Report on Department of Maori Affairs with Statistical Supplement’, p. 16

²⁸ pp. 15-16

²⁹ Hunn, ‘Report on Department of Maori Affairs with Statistical Supplement’, para 88-107

³⁰ Hunn, ‘Report on Department of Maori Affairs with Statistical Supplement’, p. 52; Harris, ‘Maori land title improvement since 1945: Communal ownership and economic use’, p. 134

³¹ Hunn, ‘Report on Department of Maori Affairs with Statistical Supplement’, p. 61

³² Matjato Neo Moteane, ‘Maori Housing Programme in New Zealand - Its history, services currently offered and issues of major concern’, Bachelor of Architecture Research dissertation, Victoria University of Wellington, 1984, p 18.

³³ Brown, ‘Tūrangawaewae kore: Nowhere to stand’, p. 349; Ferguson, *Building the New Zealand Dream*, p. 222; Controller and Auditor-General, ‘Māori land administration: Client service performance of the Māori Land Court Unit and the Māori Trustee’, Wellington: Controller and Auditor-General, 2004, p. 31

³⁴ Hill, *Māori and the State: Crown-Māori relations in New Zealand/Aotearoa, 1950–2000*, p. 92

advancement' by paving 'the way to further progress in housing, health, employment, and acculturation'.³⁵

Hunn supported continued Māori urban migration and ongoing efforts to integrate Māori into Pākehā society. This push for integration showed some recognition of the desirability to retain some aspects of Māori culture.³⁶ This was not new to the Hunn Report. In 1952, the Minister of Māori Affairs, Ernest Corbett, had maintained that the Department of Māori Affairs conformed to the principle that 'Maori should reach complete economic and social equality with the pakeha, but should retain the valuable elements of his own culture'.³⁷ He added that the role of recent policy was 'to assist in Maori development in a direction indicated broadly by Maori aspirations'.³⁸ Māori aspirations were, however, considered to be inextricably tied to the needs and aspirations of the population as a whole including, for example, the numerous applications the Department of Māori Affairs received from non-Māori for large areas of Māori land to be made available for lease.³⁹

The 84 recommendations in the Hunn Report were about maximising opportunities for integration and the eradication of those aspects of Māori life that were incompatible with it, including the retention of shares in Māori land.⁴⁰ According to Hunn:

Everybody's land is nobody's land. That, in short, is the story of Maori land today. Multiple ownership obstructs utilisation, so Maori land quite commonly lies in the rough or grazes a few animals apathetically, while a multitude of absentee owners rest happily on their proprietary rights, small as they are.⁴¹

Some viewed many of Hunn's 'solutions' for Māori land as insensitive and coercive.⁴² In his critique of the Hunn Report published the same year, linguist and ethnographer Bruce Biggs (Ngāti Maniapoto) described it as 'a theoretical discussion on the inevitability and desirability of rapid racial integration' through urbanisation. Biggs pointed out that this quick and sure way to integrate had been both ineffective in the Ōrākei community for over one hundred years, and intensely dissatisfying for

³⁵ Hunn, 'Report on Department of Maori Affairs with Statistical Supplement', p. 22; See also 'A chain reaction: The Hunn Report', *Te Ao Hou*, March 1961, p. 59

³⁶ Hunn, 'Report on Department of Maori Affairs with Statistical Supplement', pp. 14-15; Ferguson, 'Background Report for the Wai 60 Claim', p. 4

³⁷ E.B. Corbett, 'Foreword by the Minister for Maori Affairs', *AJHR*, 1952, G-9, p. 1

³⁸ Corbett, 'Foreword by the Minister for Maori Affairs', p. 2

³⁹ Corbett, 'Foreword by the Minister for Maori Affairs', p. 2

⁴⁰ Aroha Harris with Melissa Williams, 'Māori Affairs, 1945-1970', in Atholl Anderson, Judith Binney, and Aroha Harris (eds), *Tangata whenua: A history*, Wellington: Bridget Williams Books, 2015, pp. 348-357

⁴¹ Hunn, 'Report on Department of Maori Affairs with Statistical Supplement', p. 52

⁴² R.P. Boast, 'Māori land and land tenure in New Zealand: 150 years of the Māori Land Court', *Comparative Law Journal of the Pacific*, 23, 2017, pp. 97-133

Auckland's large urban Māori population.⁴³ The Māori Synod of the Presbyterian Church also criticised the Hunn Report, pointing out that the recommendations failed to alleviate difficulties for those wanting to build on rural Māori land. Their critique stated:

We consider that some conclusion should have been made to meet the problem ... that some counties, in virtue of the Town & Country Planning Act, debar Maoris from building houses on land which is under the 5 acres minimum. This is surely an anomaly which should be corrected. It also conflicts with the hereditary rights of land succession and usage vested eternally in the Māori people by the Treaty of Waitangi.⁴⁴

Historians Aroha Harris and Melissa Matutina Williams described the Hunn Report as the 'single most important mid-twentieth-century document on Māori relations with the state'.⁴⁵ Although it was not officially published until after the Labour Government left office in 1960, it still influenced many government policies. After the release of the report, Hunn was confirmed as the permanent head of the Department of Māori Affairs, with the report being endorsed by the incoming National Government as its policy direction.⁴⁶

In addition to the Hunn Report, the Crown also informed itself about Māori housing needs and preferences through the Prichard–Waetford inquiry into Māori land. In 1965, after six month's deliberation, including travelling the country and meeting with Māori landowners and others, Ivor Prichard (Chief Judge of the Māori Land Court) and Hemi Waetford (a Department of Māori Affairs officer from Te Tai Tokerau) reported to the Committee of Inquiry into Laws Affecting Māori Land and the Powers of the Māori Land Court.⁴⁷ The premise underpinning their inquiry was:

Fragmentation and unsatisfactory partitions are evils which hinder or prevent absolutely the proper use of Māori lands. Fragmentation will become progressively worse unless urgent remedial action is undertaken.⁴⁸

However, as the Waitangi Tribunal has found, there was 'little official acknowledgement of the fact that many of these problems [for example, fragmentation, multiple ownership] had been created by the

⁴³ Bruce Biggs, 'Māori Affairs and the Hunn Report', *The Journal of the Polynesian Society*, 70, 3, 1961, p. 362

⁴⁴ Māori Synod of the Presbyterian Church of New Zealand, 'A Māori view of the Hunn Report', Christchurch: Presbyterian Bookroom, 1961, p. 18

⁴⁵ Harris and Williams, *Te Ao Hurihuri: The changing world 1920–2014: Tangata Whenua; An illustrated history*, Part three, pp. 62–63

⁴⁶ Hill, *Māori and the State: Crown-Māori relations in New Zealand/Aotearoa, 1950–2000*, p. 92

⁴⁷ Waitangi Tribunal, *Tauranga Moana 1886–2006: Report on the post-raupatu claims*, Vol. 1, Wai 215, Wellington: Legislation Direct, 2010, p. 94; I. Prichard, and H.T. Waetford, 'Committee of Inquiry into Laws Affecting Maori Land and the Powers of the Maori Land Court', Wellington: Department of Maori Affairs, 1965

⁴⁸ Prichard and Waetford, 'Committee of Inquiry into Laws Affecting Maori Land and the Powers of the Maori Land Court', p. 6

Crown's title system'.⁴⁹ The recommendations in the Prichard–Waetford report included giving the Māori Trustee's compulsory purchase power to the Crown, which would also be able to freely dispose of land it acquired, raising the uneconomic threshold for Māori land from £25 to £100, and enabling the Crown to purchase the land interests of Māori who died intestate.⁵⁰

Prichard and Waetford stated that it was 'apparent that the great majority of Maoris are of the opinion that there must be changes in substance' to the management of Māori land.⁵¹ According to Richard Hill, 'while the "great majority" of Maori agreed on the need for substantial change, the Prichard–Waetford recommendations merely endorsed the general thrust of the Hunn report'.⁵² Hill described Prichard and Waetford as missing the point when they stated in their report that change was inevitable. Rather, Hill asserted, 'it was the type of change that mattered to Māori' and this was not the type of change Māori wanted.⁵³

In 1967, the anthropologist and Ngāti Whātua leader, Sir Hugh Kawharu, described the 1965 Prichard–Waetford Report as hastily put together and disappointing for Māori who had eagerly anticipated it.⁵⁴ Kawharu noted that there had been no discussion with Māori about how the use of their land should be facilitated, and there was no mention of enabling housing development.⁵⁵ As historian Tom Bennion has noted:

The report was a controversial document, which rejected Maori submissions about retaining links with remaining lands, and recommended sweeping powers be given to the courts, assisted by Maori Affairs officers, to bring fragmented blocks into productive development.⁵⁶

While the report asked: 'What measures should be adopted ... for better use of the land?', Kawharu raised an equally important question that the Committee of Inquiry should also have addressed: 'How are Māori *farmers* to be "developed"—and hence settled on their own land, sufficiently skilled to earn incomes greater than they would obtain in available alternatives?'⁵⁷ Kawharu considered this question

⁴⁹ Waitangi Tribunal, *He kura whenua ka rokohanga: Report on claims about the reform of Te Ture Whenua Māori Act 1993*, Wai 2478, Wellington: Legislation Direct, 2016, p. 45

⁵⁰ Prichard and Waetford, 'Committee of Inquiry into Laws Affecting Maori Land and the Powers of the Maori Land Court', p. 7

⁵¹ Prichard and Waetford, 'Committee of Inquiry into Laws Affecting Maori Land and the Powers of the Maori Land Court', p. 16

⁵² Hill, *Māori and the State: Crown-Māori relations in New Zealand/Aotearoa, 1950–2000*, p. 157

⁵³ Hill, *Māori and the State: Crown-Māori relations in New Zealand/Aotearoa, 1950–2000*, pp. 157–8

⁵⁴ I.H. Kawharu, 'Pacific commentary - The Prichard–Waetford Inquiry into Māori Land', *Journal of the Polynesian Society*, 76, 2, 1967, p. 205

⁵⁵ Kawharu, 'Pacific commentary - The Prichard–Waetford Inquiry into Māori Land', pp. 205–206

⁵⁶ Tom Bennion, *Māori and rating law. Rangahaua Whānui National Theme I*, Wellington: Waitangi Tribunal, 1997, p. 71

⁵⁷ Kawharu, 'Pacific commentary - The Prichard–Waetford Inquiry into Māori Land', p. 213

alone to be worthy of a six-month inquiry ‘since the present rate of urban migration is by no means siphoning off the increasing “surplus” or underemployed rural population’.⁵⁸ Similar sentiments were expressed by Māori MPs when a Rating Bill was introduced in 1967. The MP for Eastern Māori, Paraone Reweti (Ngāti Ranginui) said, ‘Selling up Maori land or even leasing it is not the answer. The solution lies in positive policies of regional development pursued with purpose’.⁵⁹

The Māori Council responded twice to the Prichard–Waetford Report. The first response came from a May 1966 conference convened through the University of Auckland’s Extension Department. This was attended by district council delegates, Māori politicians, (including Matiu Rata (Ngāti Kuri, Te Aupōuri and Ngāti Whātua), Labour MP for Northern Māori), academics, Māori trust board representatives, the Māori Women’s Welfare League, the Māori Graduates’ Association, and the Federation of Māori Students. The Māori Council’s first response expressed opposition over this report’s land conversion and status change recommendations.⁶⁰ In March 1967, the Māori Council’s second response proposed that the government provide

an information service on Maori land, guidance on use through trusts, incorporations and other co-operative organisations (which would be better than conversion), advice on farming, a training scheme and, above all, financial provision at reasonable rates to enable Maori to use their own land.⁶¹

In their 1987 planning paper for the New Zealand Planning Council, George Asher (Ngāti Tūwharetoa, Ngāti Pūkenga) and David Naulls described the Hunn Report and the Prichard–Waetford Report as promoting ‘explicitly Pakeha solutions to some of the problems that were perceived to be hampering the productive use of Maori land’.⁶² Despite the opposition that was expressed to the Prichard–Waetford Reports findings and recommendations, the Crown pressed on implementing them in the 1967 Māori Affairs Amendment Act (described in more detail later in this chapter).

⁵⁸ Kawharu, ‘Pacific commentary - The Prichard–Waetford Inquiry into Māori Land’, p. 213

⁵⁹ NZPD, 1967, Vol. 353, p. 3085

⁶⁰ Ranginui Walker, *Ka whawhai tonu matou: Struggle without end*, Revised Edition, Auckland: Penguin, 2004, pp. 206-207; See also ‘Report on Conference on Recommended Changes in Māori Land Legislation (Prichard Waetford report)’, University of Auckland, 13-15 May 1966, p. 1; Boast, ‘Māori land and land tenure in New Zealand: 150 years of the Māori Land Court’, p. 123 Boast lists Matiu Rata as being among attendees but Walker does not.

⁶¹ Walker, *Ka Whawhai Tonu Matou: Struggle Without End*, p. 207

⁶² George Asher and David Naulls, *Maori land: Planning Paper No. 29*, Wellington: New Zealand Planning Council, 1987, p. 44

Table 4.1: Māori and non-Māori housing types, 1956 & 1966,
Census 1956 (Department of Statistics, New Zealand Population Census 1956. Volume VIII Māori population and dwellings, 1960, p. 27), 1966 (Department of Statistics, The New Zealand People 1966. Vol 10. General report on the Census of Population and Dwellings 1966, pp. 35 and in Krivan, 'The Department of Maori Affairs housing programme, 1935–1967', MA thesis, Massey University, 1990, p. 147)

	1956		1966	
Housing Type	Māori %	Non-Māori %	Māori %	Non-Māori %
Ordinary private dwelling	82.1	87.4	87.2	87.5
Flat	2.2	7.5	8.4	10.5
Combined shop and dwelling	0.4	1.4	0.2	
Huts, whares, and baches	12.7	2.1	3.0	0.8
Other	0.03	0.01	--	0.1

Table 4.2: Māori and non-Māori housing amenities, 1956 & 1966,
Census 1956 (Department of Statistics, New Zealand Population Census 1956. Volume VIII Māori population and dwellings, 1960, p. 27) and 1966 (Department of Statistics, New Zealand Population Census 1966. Volume VIII Māori population and dwellings, in Mark Krivan, 'The Department of Maori Affairs housing programme, 1935–1967', MA thesis, Massey University, 1990, p. 147)

	1956		1966	
Amenity	Māori % dwellings with	Non-Māori % dwellings with	Māori % dwellings with	Non-Māori % dwellings with
Water supply	50.9	87.8	99.4	99.9
Hot water	48.3	88.2	92.0	98.9
Bathroom Facilities	57.7	93.3	91.9	98.6
Flush Toilet	31.4	80.5	78.5	93.0

By 1966, 62 per cent of the Māori population was urban. The 1966 Census showed sustained improvements in Māori housing conditions. By 1966, Māori had reached parity with non-Māori, with around 87 per cent living in houses (see Table 4.1 above). By the 1966 Census, a higher proportion of Māori dwellings had amenities although, apart from a piped water supply, they still lagged a little behind in what were by then viewed as commonplace amenities in non-Māori dwellings (see Table 4.2 above).

Throughout the country, national surveys of health and health inspectors' reports continued to identify poor environmental conditions (including overcrowding and substandard dwellings) as a source of infectious disease for Māori. In Te Urewera, for example, dysentery, meningitis, and hepatitis affected tamariki and pēpi, with Māori whānau also blamed when Pākehā were infected. Health inspectors' reports in this area provided information about substandard housing conditions, which could facilitate the spread of infectious diseases such as bacillary dysentery, meningitis, and hepatitis. These

environmental conditions included poor quality dwellings, overcrowded housing, inadequate water supplies, and lack of sanitary facilities.⁶³ Although the incidence of typhoid had significantly declined, there were still some cases connected to substandard Māori housing in 1970. Tamariki and pēpi were also impacted by a serious measles outbreak in 1971. Tuberculosis was another infectious disease connected to substandard housing that was in decline during this period. Nevertheless, between 1968 and 1975, around 50 new Māori cases of tuberculosis a year were notified in the Rotorua District.⁶⁴

Five years after the publication of the Prichard–Waetford Report, Sir Robin Cooke conducted the 1970 Commission of Inquiry into Housing, which primarily focused on housing on general land and mostly discussed Māori housing in an urban context.⁶⁵ According to Judith Davey and Robin Kearns, much of the rhetoric previously espoused about Māori housing was repeated, including the Hunn Report’s recommendation that Māori assimilation could be achieved through education or intermarriage, and that Māori families should be housed in clusters of 2 to 3 families in otherwise Pākehā neighbourhoods.⁶⁶ The Commission noted that the focus of the Department of Māori Affairs had shifted from family homes to pensioner flats and accommodation for young people. In the five years to 31 March 1970, the Department had only advanced 34 mortgages to purchase dwellings ‘not built by it’. Largely urban housing was being built by private contractors to the Department’s plans. Around 550 houses were being pepper-potted (or ‘sprinkled’, which the Commission felt was a more accurate term) in suburbs and sold to Māori each year.⁶⁷

The 1970 Commission of Inquiry into Housing only briefly discussed housing on Māori land. It stated that ‘there are apt to be special questions such as matters of title where Maori land is being built on ... [and in] the housing of Maoris in rural areas there are problems the like of which do not usually trouble the other departments’. The Commission commended the housing support that the Māori Trustee and the Māori Affairs Department provided through a scheme to encourage saving for a house deposit and the Māori Trustee’s financial support for ‘special cases’. In its report, the Commission argued that this ‘administrative machine is probably best left as it is’.⁶⁸ The Commission chose not to make any recommendations regarding housing on Māori land, but suggested that an argument could easily be

⁶³ Murton, ‘The Crown and the Peoples of Te Urewera, 1860–2000: The Economic and Social Experience of a People’, pp. 1677–1678

⁶⁴ Murton, ‘The Crown and the Peoples of Te Urewera, 1860–2000: The Economic and Social Experience of a People’, pp. 1678–1679

⁶⁵ *Housing in New Zealand: Report of the Commission of Inquiry*, Wellington: Government Printer, 1971, pp. 2–3, pp. 201–205

⁶⁶ Judith A. Davey and Robin A. Kearns, “‘Special needs versus the ‘level playing-field’: Recent developments in housing policy for Indigenous people in New Zealand’, *Journal of Rural Studies*, 10, 1, 1994, p. 76

⁶⁷ *Housing in New Zealand: Report of the Commission of Inquiry*, p. 204

⁶⁸ *Housing in New Zealand: Report of the Commission of Inquiry*, p. 205

made to do away with separate housing support for Māori and instead have their housing support ‘taken over by the Government departments concerned with housing the population generally’.⁶⁹ During this inquiry, the Commission had its attention drawn to around 20 Māori rural houses that it described as ‘hovels, unfit for human habitation’, set ‘in idyllic surroundings’.⁷⁰ However, while the Commission expressed unease about the quality of rural Māori housing, it chose to leave addressing this issue to the Department of Māori Affairs because of what it saw as issues related to the mysteries of legal land title that were ‘unplumbed by the ordinary pakeha’.⁷¹

During the course of the inquiry, the Bay of Islands County Council submitted a report on substandard Māori housing to the Commission. H.E. Lironi (the Bay of Islands County Council’s health and building inspector) authored this report, which provided detailed information about housing conditions on Māori land in this part of Northland. Lironi stated that the Māori Affairs Department had built around 500 houses since 1938 in this area with most of these homes still in ‘good condition’, but applications for this department’s housing loans were declining. The remaining homes occupied by Māori in this district ranged in quality and were generally poorly maintained. Lironi had consulted local Māori leaders for advice on how to improve these housing conditions.⁷² According to Lironi:

It is doubtful if many of the children of these parents will wish to remain on the family lands ... Some parents are too old to qualify for housing loans, while others appear to be unwilling to accept the responsibility of mortgages. Others are content to stay in their cottages and shacks where they live rent free and spend nothing on maintenance.⁷³

Lironi stated that there were nearly 400 Māori in this area living in ‘quite appalling housing conditions’ who were unable to afford better housing. He suggested that transportable houses could be used to help alleviate this shortage of adequate housing and be paid for with housing loans by Māori who wanted to remain on their land, and if they failed to make repayments then the houses could be shifted to another site. Lironi proposed that these transportable houses could similarly be used in small rural towns as rental dwellings so that if these towns were depopulated as part of urban migration, then the houses could ‘easily be removed to larger established centres’.⁷⁴ This suggestion was later followed up by the

⁶⁹ *Housing in New Zealand: Report of the Commission of Inquiry*, p. 205

⁷⁰ *Housing in New Zealand: Report of the Commission of Inquiry*, p. 207; See also Michael Robert Austin, ‘Polynesian architecture in New Zealand’, PhD thesis, University of Auckland, 1976, p. 163

⁷¹ *Housing in New Zealand: Report of the Commission of Inquiry*, pp. 205-207; See also Davey and Kearns, “‘Special needs versus the ‘level playing-field’: Recent developments in housing policy for Indigenous people in New Zealand’, p. 76

⁷² H.E. Lironi, ‘Report by County Health and Building Inspector on Substandard Maori Housing’, 1970, p. 1, ‘Housing: General Commission of Enquiry into Housing 1970, R21531154, Archives NZ, Wellington

⁷³ Lironi, ‘Report by County Health and Building Inspector on Substandard Maori Housing’, p. 2

⁷⁴ Lironi, ‘Report by County Health and Building Inspector on Substandard Maori Housing’, p. 3

Department of Māori Affairs. He also explained that substandard housing conditions were affecting their inhabitants' health.⁷⁵

A survey of 60 substandard Māori homes in the Bay of Islands was attached to Lironi's report when it was sent to the Commission. This survey included details about the number of inhabitants of a home, their ages, occupations, and their housing conditions. Most of these houses had no sink, no bathroom, no piped-water supply, no drainage, and no flush toilet. Many of these dwellings were also too small for their number of inhabitants and were dilapidated. Some of their owners had applied to the Department of Māori Affairs or State Advances for a home loan, but were still waiting for their applications to progress.⁷⁶

In its submission to the Commission of Inquiry into Housing, the New Zealand Māori Council suggested several changes to the Department of Māori Affairs' home loans scheme. This included an increase to the Māori housing loan limit in line with rising building costs and, in special cases, an increase in the loan limit for house renovations along with an extended, 20-year repayment period. The extended repayment period was seen as necessary by the Council to ensure that those on restricted incomes (for example, pensioners) could afford renovations to their rural homes. The Council also stated that it had identified 200 homes in Taitokerau that would benefit from the Rural Housing Improvement Scheme (discussed later in this chapter), but that a difficulty was that the 'property on which the house stands often has multiple ownership'.⁷⁷ The Council did not enlarge upon this difficulty in its submission but presumably it was that those with housing on Māori land were ineligible for the loans.

While the Commission commended the Council for its submission, saying they thought it was 'salutary that the Māori Council should make its separate voice heard', they effectively brushed aside most of the Council's points because of what they saw as no or limited evidence, or because of concerns that changes to State Services Loans should be 'uniform' rather than Māori-specific.⁷⁸ Nevertheless, the Commission did recommend that the Department of Māori Affairs should 'fully examine' the Māori Council's suggestions 'for liberalising the department's rural housing improvement scheme and for extending the maintenance period under the department's standard building contract'. The Commission also recommended that the Department of Māori Affairs 'take prime responsibility for arranging the

⁷⁵ Lironi, 'Report by County Health and Building Inspector on Substandard Maori Housing', p. 3

⁷⁶ 'Annexed Schedule to Report by County Health and Building Inspector on Substandard Maori Housing', 1970, 'Housing: General Commission of Enquiry into Housing 1970, R21531154, Archives NZ, Wellington

⁷⁷ New Zealand Māori Council, 'Submissions to the Commission of Inquiry into Housing, from the New Zealand Māori Council', 7 December 1970, R16866647, Archives NZ, Wellington

⁷⁸ *Housing in New Zealand: Report of the Commission of Inquiry*, pp. 206-207

rehousing of Maoris living in substandard conditions in the Bay of Islands introducing transportable houses if necessary'.⁷⁹

Earlier in its report, the Commission discussed the capitalisation of the family benefit for housing purposes, but did not refer to how it was applied to building homes on Māori land. As explained in more detail later in this chapter, family benefit capitalisation was an important source of funding for housing on Māori land during this period. The Commission stated that family benefit capitalisation had provided financial assistance for nearly 100,000 families across New Zealand since its introduction in 1959 at a cost of more than \$100 million. Despite the success of this scheme, the Commission also noted some of its limitations. In particular, the Commission stated there was a tension in this scheme's legislation between an applicant not being able to afford a deposit to purchase a home without capitalising the family benefit and being able to afford to forego these weekly payments.⁸⁰

The 1970s marked more general growth in the Māori population, with a 45 per cent increase in the number of Māori households between 1971 and 1981 (compared to a 25 per cent increase for all households). Māori need for housing therefore increased at nearly twice the rate of the non-Māori population during this time.⁸¹ By 1976, 76 per cent of the Māori population resided in urban centres (see Figure 4.2).⁸² Migration and an increasing Māori population put pressure on urban housing, with demand for state house tenancies and access to home ownership finance increasing over these three decades. At the same time, Māori continued to seek ways to be well-housed and at home on often rural and Māori land.⁸³ By 1981, the Māori census population count was 280,380 or 8.8 per cent of the population.⁸⁴ According to the 1981 Census, Māori were less likely to own their own home compared to non-Māori. As noted by Murray Bathgate: 'Only 45.3 per cent of dwellings occupied by households

⁷⁹ *Housing in New Zealand: Report of the Commission of Inquiry*, p. 244

⁸⁰ *Housing in New Zealand: Report of the Commission of Inquiry*, p. 56

⁸¹ Note that in 1974, with the passing of the Māori Affairs Amendment Act, the classification of who was Māori changed from race-based (biology or blood quantum) to ethnicity-based self-identification. Papaarangi Reid, 'Ngā mahi whakahaehae a te tangata tiriti', in Peter Davis, Kevin Dew, and Te Rōpū Rangahau Hauora a Eru Pōmare (eds), *Health and society in Aotearoa New Zealand*, Auckland: Oxford University Press, 1999, pp. 83-93

⁸² Andrew Coleman, Sylvia Dixon, and David C. Maré, 'Māori economic development – Glimpses from statistical sources, Motu Working Paper 05-13', Wellington: Motu Economic and Public Policy Research, 2005, p. 33

⁸³ Deidre Brown, 'Tūrangawaewae kore: Nowhere to stand', p. 348; Ferguson, *Building the New Zealand Dream*, p. 222

⁸⁴ Department of Statistics, *The New Zealand Official Year-Book*, 1982, Wellington: Department of Statistics, 1982,

https://www3.stats.govt.nz/New_Zealand_Official_Yearbooks/1982/NZOYB_1982.html#idsect1_1_19955 (accessed 18 January 2023)

headed by a Maori were owned by them' compared to 72.9 per cent of households headed by a non-Māori.⁸⁵

The Third National Government held office from 1975 to 1984, under the leadership of Prime Minister Robert Muldoon. During this time the country became polarised over race relations and the violence used to quell protests such as those at Bastion Point and during the 1981 Springbok rugby tour. In 1978, Tū Tāngata became the 'spearhead for Māori development policies'. The Department of Māori Affairs asserted its role as 'a Māori input to Māori situations'; investing in land, buildings, and people 'to fully develop this powerful and creative resource for the common good of all New Zealanders'. The Government working together with the people, as one, was described as 'kotahitanga'.⁸⁶ Tū Tāngata highlighted that the network of relationships and obligations that is the Māori world was the greatest asset Māori had after the land.⁸⁷ The University of Waikato researchers, I.D. Bell, Robert Tekotai Mahuta and Isla Nottingham, stated in 1982:

The Tū Tāngata programme ... is a bringing together of all the efforts of Māori people at all levels from the individual through the whānau, hapū and iwi to the pan-tribal level. It is not aimed at directing these efforts, but merely at integrating and supplying information and advice, particularly in sharing with others the experiences of the various groups so that no one need make the same mistakes twice, and projects which have been successful can provide positive examples to others.⁸⁸

In this way, Tū Tāngata was also a response to Māori criticisms that the Department of Māori Affairs was paternalistic and intent on implementing the 'integration' proposed by the Hunn report.⁸⁹ The 1982 Māori Housing Review (also known as the Cornwall Report) lambasted the Ministry of Māori Affairs, recommending it develop a housing advisory-only function based on the strengths of its knowledge of and relationships with 'the Māori people'.⁹⁰ This review also called for the resolution of 'the problems of poor rural Māori housing' and for more to be done to support Māori to build housing on Māori land.⁹¹

⁸⁵ Murray Bathgate, *The housing circumstances of the Maori people and the work of the Housing Corporation in meeting their needs*, Wellington: Housing Corporation of New Zealand, 1987, p. 4

⁸⁶ AJHR, 1979, E-13, p. 3

⁸⁷ I.D. Bell, Robert Tekotai Mahuta, and Isla Nottingham, 'He tauira whakaora - Some Maori development models. Occasional Paper 16', University of Waikato, 1982, p. 5

⁸⁸ Bell, Tekotai Mahuta and Nottingham, 'He tauira whakaora - Some Maori development models. Occasional Paper 16', p. 5

⁸⁹ Rana Waitai, *Ngā Whakaaro - A viewpoint on Māori issues*. A report to the New Zealand Planning Council on issues arising from Round Table deliberations. Staff Paper No 2, 1982, p. 80

⁹⁰ J.P.M. Cornwall and G.D. Fouhy, *Maori housing review: A review of Maori housing activities - changes in housing policies which could better meet Maori housing needs*, Wellington: A report prepared for the State Services Commission, 1982, p. 11

⁹¹ Cornwall and Fouhy. *Maori housing review: A review of Maori housing activities - changes in housing policies which could better meet Maori housing*, p. 11

In line with Tu Tangata and Kokiri policies, (and aspirations of Maoris ot better use their land), housing policies should be broadened to facilitate the use of Maori land for housing purposes, to encourage Māori trusts to play an expanding role in providing housing assistance and to utilise the strength of Maoridom to help Maoris of all age groups who have accommodation needs.⁹²

At the beginning of 1979, Matiu Rata (Labour MP for Northern Māori) delivered his Māori policy report. His resignation from the Labour Party in late 1979 was then followed by his resignation from Parliament and the founding of the Mana Motuhake Movement. Ranginui Walker described the Movement as ‘essentially conservative, reformist and collaborative’.⁹³ By contrast, in the same year Professor Sir Hirini (Sidney) Moko Mead (Ngāti Awa, Ngāti Tūwharetoa, Tūhourangi) wrote, ‘The biggest single fault with the present system is that the Maori people find it difficult to initiate any important moves without the prior approval of the Pakeha voters’.⁹⁴ He advocated for a ‘hard version’ of Māori autonomy whereby rangatiratanga would be realised through parallel systems for Māori that would provide for Māori authority over Māori resources and institutions.

In 1982, the New Zealand Planning Council published *Ngā Whakaaro – A viewpoint on Māori issues*, written by Rana Waitai (Ngāti Kahungunu, Rangitāne, Ngāti Ruapani) while he was on secondment from the Police. Seventy people had attended one of a series of nine Round Table meetings, organised in response to Bishop Manuhua Bennett’s critique that a static ‘think-tank’ would only reach a small segment of Māoridom. The constantly changing membership of the Round Tables was seen as a way of more effectively canvassing topics relevant to Māori in the 1980s.⁹⁵ The participants in these discussions named the ‘sense of dissatisfaction’ that Māori women and youth movements had with the status quo as they wanted to be fully included in ‘the power decision-making process that determines the shape of our lives’. The report also described the Māori activism that had gained a higher profile in the 1970s as not particularly new within Māoridom. The general tenor of the Round Table discussions was that Māori and Pākehā must learn to get along, and that ‘eventually we [Māori] will distinguish our own New Zealand ethos’ that will include a ‘significant Māori component’.⁹⁶

At the start of 1983, the New Zealand Māori Council published *Kaupapa: Te wāhanga tuatahi: A discussion paper on Māori affairs legislation*, which Richard Hill described as offering the government

⁹² Cornwall and Fouhy. *Maori housing review: A review of Maori housing activities - changes in housing policies which could better meet Maori housing*, p. 11

⁹³ Ranginui Walker, ‘The genesis of Maori activism’, *The Journal of the Polynesian Society*, 93, 3, 1984, p. 279

⁹⁴ S.M. Mead, *Finding a pathway to the future - He ara ki te aomaarama*, Planning Paper No. 3, Wellington: New Zealand Planning Council, 1979, p. 5

⁹⁵ Waitai, *Nga Whakaaro – A viewpoint on Māori issues*, p. 2

⁹⁶ Waitai, *Nga Whakaaro – A viewpoint on Māori issues*, p. 7

a softer version of rangatiratanga by balancing ‘Crown sovereignty by Treaty-based fiduciary duties’.⁹⁷ The Māori Council spoke about land and tūrangawaewae in this discussion paper, recommending that Māori trusts and incorporations operating at whānau, hapū and iwi levels keep track of shareholders in Māori land, and that any income be retained for the benefit of owners:

If we are true Māori, we must insist that Māori land ownership be viewed entirely differently from ownership as it is understood in British law. Our land interests are an inheritance from the past entrusted to the future in which we have no more than certain rights to enjoy the fruits of the land in our own lifetimes, and a duty to convey those rights to succeeding generations.⁹⁸

By the time of the 1984 general election, some of the ideas from the Māori Council’s Kaupapa paper were being actioned in a Māori Affairs Bill that was being prepared by the Council.⁹⁹

These decades were a time of continued and growing Māori discontent with what Sir Robert Māhuta (Waikato, Tainui) termed ‘the assimilationist ethos’ of the Crown.¹⁰⁰ Sociologist Louise Humpage has written that Māori Affairs policy had been selective in its attendance to Māori diversity. According to Humpage, while certain Māori values or interests had received only limited acknowledgement, ‘traditional understandings of universal citizenship that protect the concept of a unitary nation-state’ had consistently been a driving force of Māori Affairs policy.¹⁰¹

In 1983, Professor Whatarangi Winiata (Ngāti Raukawa) wrote a report on Māori home ownership for the New Zealand Māori Council. In this report, he stated:

This paper takes the position that it is the right of every New Zealander to be satisfactorily housed and that the housing which is being built or purchased by the Housing Corporation and the Department of Maori Affairs is an acceptable measure of what is satisfactory. Moreover, those members of our community who from their own income and financial resources cannot afford to meet the financial commitments which are associated with the purchase of satisfactory homes through the Housing Corporation or through the Department of Maori Affairs should be offered arrangements which make home acquisition possible for them.¹⁰²

⁹⁷ Hill, *Māori and the State: Crown-Māori relations in New Zealand/Aotearoa, 1950–2000*, p. 184

⁹⁸ New Zealand Māori Council, *Kaupapa: Te wāhanga tuatahi: A discussion paper on Māori affairs legislation*, Wellington: New Zealand Māori Council, 1983, p. 10

⁹⁹ Richard S. Hill, ‘Crown-Rangatiratanga relations in the 20th Century’, Wellington: Stout Research Centre for New Zealand Studies, 2005, p. 184

¹⁰⁰ Robert Mahuta, ‘He hinengaro motuhake: A separate reality’, *He mātāpuna - A source: Some Māori perspectives*, Wellington: Te Kaunihera Whakakaupapa mo Aotearoa - New Zealand Planning Council, 1979, p. 19

¹⁰¹ Louise Humpage, ‘Closing the gaps? The politics of Māori Affairs policy’, PhD thesis, Massey University, 2002, p. 44

¹⁰² Whatarangi Winiata, ‘Māori home ownership’ in Whatarangi Winiata and Daphne Luke (eds), *The survival of the Māori people*, Wellington: Huia Publishers, 2021, p. 295

Winiata also observed the National Housing Commission's lack of attention to Māori housing needs and pointed out that the Māori housing situation would be far worse if not for the Department of Māori Affairs' housing provision. The 1981 Census count was 27,099 houses in Māori ownership and up to 1981 Māori Affairs had built or purchased 24,607 houses. Even if some of the Māori Affairs financed houses had changed hands and some Māori had purchased homes outside of Māori Affairs financing, Winiata argued that the figures alone spoke to the pivotal role Māori Affairs had played in facilitating Māori home ownership.

In 1984, land leases, chronic unemployment and land development were among the issues discussed at Hui Taumata - Māori Economic Development Summit. While Tū Tāngata had been an encouraging start for Māori in the late 1970s, the feeling of those attending the Hui was that Tū Tāngata had not resulted in the desired power sharing between the Crown and Māori.¹⁰³ The overarching theme that emerged from this Summit was the call for Māori control over the resources needed for Māori development.¹⁰⁴ Historian Michael Belgrave has written:

Hui Taumata re-established the tribe, however loosely defined, as the fundamental unit of social organisation and Māori socio-economic development. Māori leaders demanded that policy focus on the needs of whānau rather than of individuals, and on tribal authorities rather than on government departments.¹⁰⁵

In what was described by the New Zealand Institute of Surveyors as a 'seminal event', the Minister of Māori Affairs identified two principles in 1984 that would underpin the government's consideration of Māori land tenure; namely, that the land would remain in the hands of its owners, and that Māori land owners would receive the utmost encouragement to occupy and effectively manage their land.¹⁰⁶ These foundational principles were actioned in a short-lived Māori Affairs Bill that was prepared by the Māori Council, and then embodied in legislation less than ten years later, in *Te Ture Whenua Māori* 1993.¹⁰⁷ Asher and Naulls stated:

The historical record clearly indicates that decisions affecting Māori land and Māori people cannot be made for them. The success of any venture, be it the establishment of a trust or the framing of legislative provisions, is more often than not determined by the extent to which the decisions are made by those Māori people directly affected. This acknowledgement is the first

¹⁰³ Hill, 'Crown-Rangatiratanga relations in the 20th Century', p. 203

¹⁰⁴ Asher and Naulls, *Maori land: Planning Paper No. 29*, p. 89

¹⁰⁵ Michael Belgrave, 'Beyond the Treaty of Waitangi: Māori tribal aspirations in an era of reform, 1984–2014', *The Journal of Pacific History*, 49, 2, 2014, p. 199

¹⁰⁶ New Zealand Institute of Surveyors, 'Effective land tenure for developing Māori land assets', 2005, p. 5

¹⁰⁷ Hill, *Maori and the State: Crown-Maori Relations in New Zealand/Aotearoa, 1950–2000*, p. 184

step towards meeting the Māori desire for self-determination - a desire which is being voiced with greater frequency and intensity than ever before.¹⁰⁸

When the Minister of Māori Affairs, Koro Wētere (Ngāti Maniapoto), addressed the Hui Taumata, he called for the instigation of a Decade of Māori Development to acknowledge the need for action to eliminate Māori disparities. Wētere argued that the country would not progress unless Māori progressed. He undertook to implement the recommendations in the final report of Hui Taumata, *Kāwenata*, as it was a blueprint for the future. One of these recommendations was for the Housing Corporation to become more culturally aware and responsive to Māori housing aspirations.¹⁰⁹ A Papakāinga Housing Bill was suggested in 1984 to resolve issues related to planning provision, owner consents, and the right for home builders to occupy their own Māori land. However, the Bill did not proceed.¹¹⁰

Donna Awatere's (Te Arawa, Ngāti Porou) 1984 book *Māori Sovereignty*, with her assertion that the Māori version of the Treaty of Waitangi had preserved Māori rangatiratanga, was an additional 'fundamental challenge to the government'.¹¹¹ Awatere defined Māori sovereignty as

the Māori ability to determine our own destiny and to do so from the basis of our land and fisheries. In essence Māori sovereignty seeks nothing less than the acknowledgement that New Zealand is Māori land, and further seeks the return of that land. At its most conservative it could be interpreted as the desire for a bicultural society, one in which taha Māori receives an equal consideration with, and equally determines the course of this country as taha Pākehā. It certainly demands an end to monoculturalism.¹¹²

The increasing urbanisation of Māori brought with it demands for new urban housing options for whānau. In addition, the poor condition of Māori rural housing continued to demand repair and renovation solutions to ensure that people's health did not deteriorate because of their poor housing. Growing Māori dissatisfaction with the Crown's responsiveness to the advice and recommendations provided by Māori, including the New Zealand Māori Council, led to more Māori forums (for example, hui and written material) that informed the Crown of Māori aspirations. This was important for housing

¹⁰⁸ Asher and Naulls, *Maori land: Planning Paper No. 29*, p. 85

¹⁰⁹ Koro Wētere, 'Speech to Hui Taumata', 30 April 1984, *Ngā Taonga Sound & Vision*, https://ngataonga.org.nz/collections/catalogue/catalogue-item?record_id=233970 (accessed 16 December 2022)

¹¹⁰ Davey and Kearns, 'Special needs versus the "level playing-field": Recent developments in housing policy for Indigenous people in New Zealand', p. 78

¹¹¹ Alan Ward, 'Interpreting the Treaty of Waitangi: The Māori resurgence and race relations in New Zealand', *The Contemporary Pacific*, 3, 1, 1991, p. 99

¹¹² Donna Awatere, 'Māori sovereignty', *Broadsheet*, June 1982, p. 38

on Māori land as the inquiries launched by the government were often ill-equipped to understand, let alone develop, solutions that would support Māori housing aspirations.

4.3 How did the Crown respond to identified housing needs on Māori land and how effective were such targeted housing programmes for Māori?

This section describes and assesses the effectiveness of the housing assistance programmes that were available for building and repairing housing on Māori land from 1950 to 1984. During this period, government housing support for Māori land was accompanied by increased efforts to integrate Māori into Pākehā society, as discussed above. The Department of Māori Affairs aimed to eliminate the difference between the state of Māori and Pākehā housing during this period through targeted housing support.¹¹³ This push for housing resources that were on a par with Pākehā did not, however, challenge housing design or its emphasis on nuclear family living. This was to come later in the 1970s, along with calls for better housing delivery systems for Māori in both urban and rural settings.¹¹⁴ In the meantime, special provisions could be made through the Department of Māori Affairs for housing larger and extended Māori families.¹¹⁵

During the 1950s, the Department of Māori Affairs played a strong part in the lives of Māori, including being the well-known ‘go-to’ place for mortgage finance and house building.¹¹⁶ In 1952, the Department reported:

Maori people generally require plans very similar to a European standard home, but a few special features are desirable and these are incorporated into many of the plans. Some of the new plans are for simpler types of homes to meet large families and limited income factors, without in any way sacrificing sound planning design, or standard construction. Full amenities and standard construction and finish are incorporated in all Maori housing plans and specifications. There is no compulsion on the client to use the Department’s plan service.¹¹⁷

Two years later, the Department of Māori Affairs stated that it had around 90 different house plans that people could select from. These plans ranged from houses of 890 square feet to over 1200 square feet

¹¹³ Moteane, ‘Maori Housing Programme in New Zealand - Its history, services currently offered and issues of major concern’, p. 18

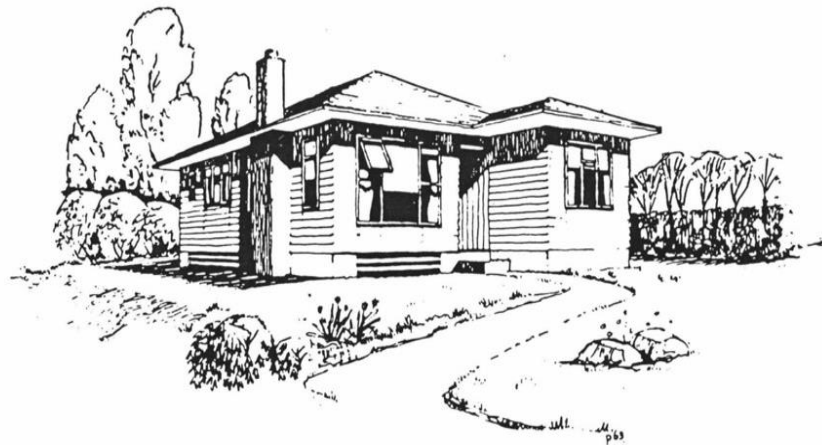
¹¹⁴ Ferguson, ‘Background Report for the Wai 60 Claim’, p. 4

¹¹⁵ Ferguson, ‘Background Report for the Wai 60 Claim’, p. 2

¹¹⁶ Harris and Williams, *Te Ao Hurihuri: The changing world 1920–2014*, p. 45

¹¹⁷ ‘Annual Report of the Board of Maori Affairs and of the secretary of the Department of Maori Affairs’, AJHR, 1952, G-9, p. 6

(see Figure 4.3).¹¹⁸ In exceptional cases (such as for large families) the Department would prepare special plans where family resources were limited.¹¹⁹



PLAN TYPE 3/10

A pleasing plan of small area. Two double and one single bedrooms. There are two built-in wardrobes. The kitchen and washhouse are generously proportioned. Drainage somewhat extended. A small family home of moderate cost.

AREA: 890 SQUARE FEET

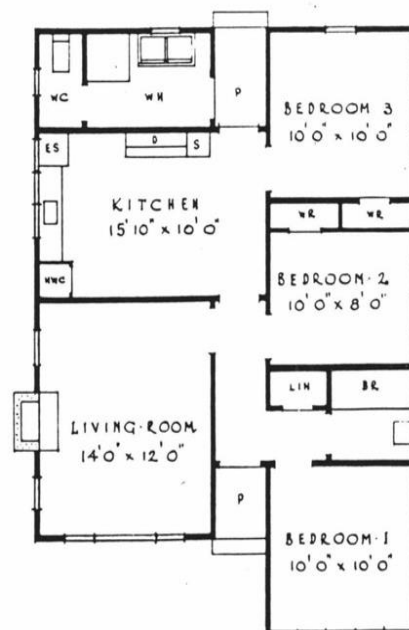


Figure 4.3: Department of Māori Affairs Design Advisory Service housing plan type 3/10
Design Advisory Services, Department of Māori Affairs, House plan brochure, 1955, in Moteane, 'Maori Housing Programme in New Zealand - Its history, services currently offered and issues of major concern', p. 78

¹¹⁸ Design Advisory Service, 'Department of Māori Affairs brochure', 1955, Plan Type 3/10; Design Advisory Service, 'Department of Māori Affairs brochure', 1955, Plan Type 4/17

¹¹⁹ 'Annual Report of the Board of Maori Affairs and of the Secretary, Department of Maori Affairs', AJHR, 1954, G-9, p. 28

The Department of Māori Affairs provided housing finance for Māori, with loan limits at the start of the 1950s of £1,500 for a 100 per cent loan to buy or build a house, and £2,000 for a 90 per cent loan, at an interest rate of 4.25 per cent. The circumstances of the borrower determined the term of the loan. Returned servicemen received rehabilitation concessions and could apply for home loans through Department of Māori Affairs or Rehabilitation Offices. Suspensory loans (a loan with suspended payments until after a set date) were available as they were for Pākehā building their own home and special concessions were made for 'country people' to provide a suspensory loan (calculated in relation to cost of building in the nearest town) to offset the higher costs of new construction in remote rural areas.¹²⁰ Suspensory loans were adjusted in the 1951–1952 financial year to allow for higher building costs for homes for larger families.¹²¹

Saving for a house deposit could be done through the Department of Māori Affairs, which offered post office savings-bank interest rates for a deposit account. According to this Department's publication, *The Maori Today*, 'one virtue of this system is that it accustoms the applicant (who may never have paid rent or its equivalent) to the process of saving, and to what can be achieved by exercising forethought'.¹²² In 1957, Corbett described saving as the 'keystone of housing progress for the Māori people'.¹²³ Māori whānau were generally having to save to bridge the gap between the £2,000 loan limit and what a house would cost them. This department reported in 1957:

During the year the number of savings accounts increased from 1,883 to 1,909 and their value from £282,037 to £301,412. The saving of money for the building up of capital assets has never before occurred among the Māori people on this scale.¹²⁴

The Department of Māori Affairs was keen to overcome what it saw as the problems of Māori land by proposing subdivisions in various North Island districts.¹²⁵ The Department of Māori Affairs reported in 1954:

In these schemes suitable blocks of land owned by Maoris (often with a multiplicity of ownership as to be of little use to them) are taken over, subdivided, developed and serviced, and allotted to Maori housing applicants, preference being given to existing owners in the block;

¹²⁰ Holland, *Housing Policy*, p. 11; E.B. Corbett, 'Foreword by the Minister of Maori Affairs', AJHR, 1951, G-9, p. 2

¹²¹ 'Annual Report of the Board of Maori Affairs and of the secretary of the Department of Maori Affairs', AJHR, 1952, G-9 p. 5

¹²² *The Maori Today*, Wellington: Department of Maori Affairs, 1956, p. 14

¹²³ 'Annual Report of the Board of Maori Affairs, the secretary, Department of Maori Affairs and the Maori trustee', AJHR, 1957, G-9, p. 5

¹²⁴ 'Annual Report of the Board of Maori Affairs, the secretary, Department of Maori Affairs and the Maori trustee', AJHR, 1957, G-9, p. 5

¹²⁵ 'Annual Report of the Board of Maori Affairs and the under-secretary of the Department of Maori Affairs', AJHR, 1951, G-9, p. 8

and the shares of owners who do not get housing sites being bought out by those who do. The department's building organization then moves in, and houses are built for the new occupiers according to their choice of plans and to the finance, including loans moneys, they have available.¹²⁶

In 1954, the Department reported on the success of 'group housing' schemes that it had facilitated in areas that were occupied mainly by Māori – Waipatu, Ōpōtiki, and Moerewa. The first such scheme was initiated in 1948 at Hiruhārama (on the Whanganui River).¹²⁷ Other schemes were being progressed at Hiona (near Masterton), Kamo (near Whangārei), Rotorua, Wairaka (near Whakatāne), Tauwhare, and Kaikohe.¹²⁸ Finance for houses in the 'group housing' schemes came from loans under the Māori Housing Act 1935.¹²⁹

A Department of Māori Affairs survey in 1956 identified 42 areas of the country where around 4,000 Māori in total were living in compact groups 'in comparative isolation, where living conditions by and large are substandard and where there is less than the usual incentive for social and economic progress'.¹³⁰ The land title position of these mostly old kāinga was described as 'often confused', leading the Department of Māori Affairs to step in so that new houses could be completed. Housing loan limits had also increased by 1958, so that a family of five could borrow up to £2,650.¹³¹

In October 1958, the government introduced its Advances for Major Repairs to Homes scheme. Social security beneficiaries and war pensioners who were homeowners could get a loan of up to £200 to carry out repairs on their home. The 5 per cent interest on the loan was reduced to 3 per cent if loan repayments were made six-monthly. Otherwise the loan was usually repaid when the house was sold or if the loan recipient stopped occupying it, if they died, or if they came into money to pay the loan or stopped being a security beneficiary.¹³² This scheme continued until it was repealed in July 1996, when the Advance Payment to Benefit Scheme was extended to cover home repairs and maintenance for homeowners.

¹²⁶ 'Annual Report of the Board of Maori Affairs and of the Secretary, Department of Maori Affairs', AJHR, 1954, G-9, p. 28

¹²⁷ Krivan, 'The Department of Maori Affairs Housing Programme, 1935–1967', p. 64

¹²⁸ 'Annual Report of the Board of Maori Affairs and of the Secretary, Department of Maori Affairs', AJHR, 1954, G-9, p. 28

¹²⁹ 'Department of Maori Affairs: The Development and Settlement of Maori Lands and the provision of houses for Maoris', AJHR, 1948, G-10, p. 14; Krivan, 'The Department of Maori Affairs Housing Programme, 1935–1967', p. 64

¹³⁰ 'Report of the Board of Maori Affairs the secretary, Department of Maori Affairs and the Maori trustee', AJHR, 1958, G-9, p. 23

¹³¹ 'Report of the Board of Maori Affairs the secretary, Department of Maori Affairs and the Maori trustee', AJHR, 1958, G-9, p. 25

¹³² Alex McKenzie, *Social Assistance Chronology 1844–2022*, Wellington: Ministry of Social Development, 2022, p. 82.

Research has not been able to determine whether beneficiaries living in their own homes on Māori land were eligible for this loan facility.

By 1960, group housing schemes had been undertaken in several localities. While the Department of Māori Affairs had hoped to sell sections to both Māori and Pākehā to promote integration, most of the created housing communities remained predominantly Māori.¹³³ As noted by Brian Murton in his research report for the Te Urewera inquiry:

In 1961 the Board of Maori Affairs developed a policy statement concerning areas of Maori land on which subdivisions for housing might be allowable. The Department of Maori Affairs solicited and received responses from District Offices. The responses were quite varied, mainly because of local circumstances. However, all districts agreed that the department should give loans to individuals in all-Maori settlements, if they had permanent employment and educational facilities were within reasonable reach (and if they had a section).¹³⁴

While providing housing for Māori on what had been Māori land, the group housing schemes also had the potential to leave Māori landowners both houseless (when they were not allotted, or could not afford, a subdivided section) and landless (when they then lost their shares in the land to the new occupiers of it). This was potentially more likely to happen when Māori land was adjacent to, or in, towns or cities as the Department of Māori Affairs' view was that Pākehā should also be able to buy sections in these subdivisions.¹³⁵

The Department of Māori Affairs also provided some financial assistance to those wanting to build housing on Māori land. Applicants were supported to make submissions to the Māori Land Court for Māori land to be partitioned so that they could have a building site.¹³⁶ The Court was also able to make a Vesting Order for the same purpose.¹³⁷ In 1957, the Department of Māori Affairs reported:

The applicant may have an undefined share in Maori land which would be sufficient to enable a suitable house site to be partitioned out. If the section so obtained would be reasonably suited for employment and amenities the Department helps with the necessary negotiations and Maori

¹³³ Krivan, 'The Department of Maori Affairs Housing Programme, 1935–1967', p. 112; See also AJHR, 1965, G-9, p. 20; L. M. Kenworthy, T. Martindale, and S. Sadarka, 'Māori Affairs and the Hunn Report', *New Zealand Journal of Public Administration*, 33, 1, 1970, p. 53

¹³⁴ Murton, 'The Crown and the Peoples of Te Urewera, 1860–2000: The Economic and Social Experience of a People', p. 1991

¹³⁵ Murton, 'The Crown and the Peoples of Te Urewera, 1860–2000: The Economic and Social Experience of a People', p. 1991

¹³⁶ In its 1955 report the Department of Māori Affairs noted that 'Even where he has clear land interests there are often difficulties in obtaining clear title', See AJHR, 1955, G-9, p. 21

¹³⁷ 'Report of the Board of Maori Affairs', AJHR, 1959, G-9, p. 45

Land Court proceedings to cut out a site for his sole ownership so that a loan may be granted and a house built.¹³⁸

During the 1958–1959 financial year alone, the Māori Land Court made 800 Partition Orders and 201 Vesting Orders, principally for the purpose of providing people with individual title to a building site so they could then access mortgage finance to build a house.¹³⁹

The Waitangi Tribunal's *Whanganui River Report* records the late Matiu Mareikura as claiming that to build a house in his area sole ownership of 10 acres was required.¹⁴⁰ The Waitangi Tribunal responded to this claim, reporting:

We are aware that by the time to which he referred, Maori land ownership had become fragmented, that partitions were required for housing or individual farm loans, and that partitions, or building permits, were not always available. Nor were they regularly granted for rural land where the subdivided lots were not economic farm units or where a house already existed. Papakainga zoning to maintain existing settlements had not been provided for at that time.¹⁴¹

Using its own construction organisation and private building contractors, the Department of Māori Affairs built a total of around 550 dwellings each year during the 1950s. Around 12 per cent of these houses were constructed under rehabilitation provisions for returned servicemen. The 1949–1950 financial year data about the rehabilitation housing loans provided (4,421 loans to a value of £5,200,944) suggests that Māori rehabilitation housing loans were around 2 per cent of the total number of rehabilitation loans made. In addition to this rehabilitation housing, the Department of Māori Affairs built Special Housing Fund financed houses for Māori who were unable to offer the required security (around 1 per cent), and also constructed Land Development financed houses for Māori who wanted to farm their ancestral land (around 10 per cent of houses).¹⁴²

In 1957, Mortimer Sullivan, the new Under-Secretary for the Department of Māori Affairs, made the first request to increase the house construction budget as by that year housing expenditure accounted for over one-third of the Land Settlement Vote. Sullivan asked for an additional £120,000 to build 25 more homes in the 1958–1959 and 1959–1960 financial years, as otherwise the demand for housing would cut into funding for Māori Land Development Schemes.¹⁴³ If his request had been granted, this

¹³⁸ 'Annual Report of the Board of Maori Affairs, the secretary, Department of Maori Affairs and the Maori trustee', AJHR, 1957, G-9, p. 16

¹³⁹ 'Report of the Board of Maori Affairs', AJHR, 1959, G-9, p. 45

¹⁴⁰ Waitangi Tribunal, *The Whanganui River Report (Wai 167)*, Wellington: GP Publications, 1999, p. 82

¹⁴¹ Waitangi Tribunal, *The Whanganui River Report*, p. 82

¹⁴² Holland, 'Housing Policy', p. 11

¹⁴³ Krivan, 'The Department of Maori Affairs Housing Programme, 1935–1967', p. 84

‘would have been the first housing welfare assistance linked to some wider measure of need’.¹⁴⁴ He made the same request for increased expenditure for housing to Walter Nash, the incoming Minister for Māori Affairs in the Labour Government that was elected in November 1957. While Nash agreed, Treasury did not support the additional expenditure. Krivan writes

the fate of this request highlights a trend which hindered progress throughout this period – the powerful but negative influence of Treasury ... This is one example of how Treasury, by influencing the size of the housing Vote, could restrict planned expansions of the programme at the macro-economic level.¹⁴⁵

In 1958, the Second Labour Government (1957–1960) introduced 3 per cent mortgage finance for families earning less than £1,000 per year and the opportunity for them to obtain a house deposit through family benefit capitalisation. According to the Family Benefits (Home Ownership) Act 1958, money could be advanced under this scheme for houses to be built on Māori land if the recipient or their spouse was ‘the sole owner of the land’ or ‘the owners of the land as joint tenants’, or would be so once they received an advance payment.¹⁴⁶ The family benefit capitalisation and the 3 per cent mortgage finance were designed to help those struggling to save for a house deposit or obtaining a housing loan.¹⁴⁷ As part of the family benefit capitalisation scheme, the family benefit was increased from £1 to £1 5s per child per week, and families could capitalise up to £1,000 to support a new home purchase.¹⁴⁸

During the same year, the Department of Māori Affairs introduced a no-deposit scheme for home construction loans, bringing Māori mortgage lending more into alignment with what Pākehā could access. The improved accessibility to mortgage finance for Māori in the late 1950s led to an increase to around 650 houses in 1958 and 1959, with the average house size increasing from 830 to 980 square feet (77.1 to 91.0 square metres).¹⁴⁹ However, the previous interest rate of 4 7/8 per cent (compared to 3 per cent for State Advances loans) was retained on the basis that Māori borrowers were not required

¹⁴⁴ Ferguson, *Building the New Zealand dream*, p. 218

¹⁴⁵ Krivan, ‘The Department of Maori Affairs Housing Programme, 1935–1967’, pp. 84–85

¹⁴⁶ Family Benefits (Home Ownership) Act 1958 (1958 No 106), pp. 617–618, p. 620; The Reform Government introduced an income-tested allowance of two shillings per week for third and subsequent children in 1926. This early form of family related payments was expanded by the Labour Government, and by 1946 all New Zealand mothers were eligible to receive a weekly stipend for each child under 16 years of age. The National Government discontinued the universal family benefit in 1991. See Kia Piki Ake: Welfare Expert Advisory Group, ‘A brief history of family support payments in New Zealand’, July 2018, pp. 2–4; Matthew Rout and Grace Walker, ‘An exploration of the Māori housing-health nexus during the mid-twentieth century - He hōpara i te raupapa hononga i waenga i te hauora me ngā whare noho o te Māori i te pokapū o te rautau rua tekau’, *New Zealand Population Review*, 47, 2021, p. 84

¹⁴⁷ Rout and Walker, ‘An exploration of the Māori housing-health nexus during the mid-twentieth century’, p. 84

¹⁴⁸ Murton, ‘The Crown and the Peoples of Te Urewera, 1860–2000: The Economic and Social Experience of a People’, p. 1948

¹⁴⁹ Moteane, ‘Maori Housing Programme in New Zealand - Its history, services currently offered and issues of major concern’, p. 18; Krivan, ‘The Department of Maori Affairs Housing Programme, 1935–1967’, p. 98

to pay 2 per cent of their loan value to the State Advances Corporation's General Reserve Fund.¹⁵⁰ This meant that over the lifetime of their mortgage Māori were paying far in excess of what Pākehā borrowers were paying.

Given that group housing became a permanent feature of the Department of Māori Affairs housing work after their early success and the number of partition and vesting orders being made by the Māori Land Court, a proportion of the dwellings financed by the Department in the 1950s would have been on (formerly) multiply-owned Māori land.¹⁵¹ Progress with rural housing would have been hampered, however, by the Department's discouragement of building in remote locations and the shortage of skilled labour in these areas.¹⁵² Rural loan applicants were encouraged to use private building contractors if they were able to and the proportion of the Department's houses built by private contractors rose from 21 per cent in 1954 to 36 per cent in 1957. By the mid-1950s, however, the Department's policy was to retreat from lending for housing in remote rural areas, so that by 1961, 55 per cent of the houses the Department of Māori Affairs financed were in urban centres.¹⁵³

In 1960, the Department of Māori Affairs responded in its annual report to criticisms that it was encouraging Māori to leave their land in rural areas to move to urban areas by failing to build sufficient housing on rural Māori land. The report did not state who was criticising its policy 'of not building houses in the country'. According to this report, the Department had built 1,585 rural houses (with 45 per cent constructed in Northland). This was approximately one third of the Department's total build of during the 1950s. However, this report also acknowledged that it would not provide housing assistance in rural areas if the main source of income for the family required travelling long distances or leaving the area.¹⁵⁴ This report stated that one of the most significant challenges for the Department's attempts to respond to identified housing needs was Māori who lived in 'remote areas' applying for housing support and who did not have sufficient farmland to afford repayments for a housing loan.¹⁵⁵

There were around 2,000 applications for mortgage finance in 1960, and these applications increased by nearly one thousand per year once family benefit capitalisation was initiated. However, it is difficult to determine how many of the 90,000 approved family benefit capitalisation loan applications were

¹⁵⁰ Krivan, 'The Department of Maori Housing Programme, 1935–1967', p. 85

¹⁵¹ Krivan, 'The Department of Maori Affairs Housing Programme, 1935–1967', p. 64

¹⁵² Krivan, 'The Department of Maori Affairs Housing Programme, 1935–1967', p. 75, p. 78

¹⁵³ Krivan, 'The Department of Maori Affairs Housing Programme, 1935–1967', p. 78

¹⁵⁴ 'Report of the Board of Maori Affairs, Secretary, Department of Maori Affairs and the Maori Trustee', AJHR, G-9, 1960, p. 12

¹⁵⁵ 'Report of the Board of Maori Affairs, Secretary, Department of Maori Affairs and the Maori Trustee', AJHR, G-9, 1960, p. 14

from Māori.¹⁵⁶ In 1964, the Māori Labour MP Eruera Tirikātene noted that 6,149 whānau had purchased a new home and specifically attributed this to the family benefit capitalisation.¹⁵⁷ While there was certainly some political interest involved, as Labour introduced the capitalisation scheme, the number was not challenged at the time. During parliamentary debates in 1967, the Māori Labour MP Whetū Tirikātene-Sullivan (Eruera's daughter) stated that when she worked on housing for the Māori Affairs Department in the Wellington region 'over 90 per cent of Maori loan applications were facilitated by capitalisation of the family benefit, so undoubtedly capitalisation had accelerated the provision of houses for Maoris'.¹⁵⁸ By 1967, almost all Māori loan applications included family benefit capitalisation. When the scheme was extended to include home purchasing as well as house construction, the Department of Māori Affairs experienced an increase in applications, but did not have any more funding. Applicants were therefore diverted to the State Advances Corporation as most Māori applicants were eligible for family benefit capitalisation and loans.¹⁵⁹

Māori who did not meet the State Advances Corporation's criteria for family benefit capitalisation and the 3 per cent loan (usually applied for as a package) could apply to the Department of Māori Affairs for other kinds of finance. Enabling Māori to become homeowners was seen by both the Department of Māori Affairs and the State Advances Corporation as an opportunity to encourage Māori to adopt a Pākehā way of life. Most of the housing activity during the 1960s was in urban areas, which according to Krivan was culturally insensitive as it did not consider the attachment Māori had to their land. It also had the added disadvantage of the Department of Māori Affairs allowing rural stock to deteriorate.¹⁶⁰ In their article about economic restructuring and housing policy for Māori, Laurence Murphy and Dorothy Urlich Cloher argued that from the 1950s to the 1980s housing problems for Māori 'were viewed as primarily income related; consequently it was believed that appropriately targeted policies for low-income groups would solve all housing problems'.¹⁶¹ However, as noted by Deidre Brown, seeing Māori housing problems as simply a socioeconomic issue did not account for the discrimination Māori and interracial couples experienced when they approached lending institutions for mortgage finance to purchase a house or to build on Māori land.¹⁶²

¹⁵⁶ Rout and Walker, 'An exploration of the Māori housing-health nexus during the mid-twentieth century', p. 86

¹⁵⁷ E. Tirikātene, NZPD, 1964, p. 338, p. 232; See also Rout and Walker, 'An exploration of the Māori housing-health nexus during the mid-twentieth century', p. 86

¹⁵⁸ W. Tirikātene-Sullivan, NZPD, 1967, p. 352, p. 2400; See also Rout and Walker, 'An exploration of the Māori housing-health nexus during the mid-twentieth century', p. 86

¹⁵⁹ Krivan, 'The Department of Maori Affairs Housing Programme, 1935–1967', p. 127

¹⁶⁰ Krivan, 'The Department of Maori Affairs Housing Programme, 1935–1967', p. 110-111

¹⁶¹ Laurence Murphy and Dorothy Urlich Cloher, 'Economic restructuring, housing policy and Māori housing in Northland, New Zealand', *Geoforum*, 26, 4, 1995, p. 326

¹⁶² Brown, 'Tūrangawaewae kore: Nowhere to stand', p. 248

During the 1960s, the launch of the Department of Māori Affairs Māori Trade Training Scheme resulted in more rangatahi Māori, particularly young Māori men, leaving rural towns, to join this scheme. They travelled to training centres in Auckland, Lower Hutt, and Christchurch where they were hostelled together. By 1970, some 1,100 young men from around the country had participated in the scheme. Many, like Matua Norm Dewes, remained in the cities they were sent to, having found work, formed friendships, or fallen in love.¹⁶³ Although the Department of Māori and Island Affairs looked for newly qualified young men to join their building programme and support the provision of new homes on Māori land in rural communities, many chose instead to work for private contractors.¹⁶⁴

From the late 1960s onwards, the Department of Māori Affairs shifted its housing focus to more specialised Māori needs, as it was felt that there had been an adequate response to the critical shortage of housing highlighted by the Hunn Report.¹⁶⁵ The Hunn Report had recommended building 13,000 dwellings between 1961–1971. This housing target was nearly met with 12,903 houses constructed during this period. Whānau purchased 1,622 houses with State Advances Corporation loans, and rented 3,044 houses from the Corporation. The Department of Māori and Island Affairs' (as it became known between 1968–1974) housing programme provided 6,297 houses (1961–1971) to whānau. In his research dissertation on Māori Affairs housing assistance, Matjato Neo Moteane stated: 'Of the 12,903 houses provided 940 were from the pools of under-utilised state houses'.¹⁶⁶ The State Advances Corporation boosted its efforts from 1952 and especially in the years 1960 to 1975 (see Figure 4.4 below).¹⁶⁷ According to Butterworth and Young:

On the grounds that the initial backlog identified in the Hunn Report had been met by the vigorous housing policies of the early 1960's, the housing programme was gradually contracted so that by 1968/69 the Department [of Māori Affairs] was only building 611 houses per year and the State Advances were providing only 63 new housing loans compared to the peaks of 905 houses built in 1964/65 and 323 loans in 1962/63.¹⁶⁸

While the number of houses built by the Department of Māori Affairs in the 1960s was in-line with the recommendation of the Hunn report, Krivan recalculated Hunn's projections using statistics from the 1961 and 1966 Censuses and found that Hunn had underestimated the Māori population growth as well

¹⁶³ Te Puni Kōkiri, 'Laying the foundations', *Kōkiri*, 15, 2009, p. 11

¹⁶⁴ 'Kaiapoi building boom', *Press*, 25 October 1973, p. 14

¹⁶⁵ Moteane, 'Maori Housing Programme in New Zealand - Its history, services currently offered and issues of major concern', p. 21

¹⁶⁶ Moteane, 'Maori Housing Programme in New Zealand - Its history, services currently offered and issues of major concern', pp. 20–21

¹⁶⁷ Moteane, 'Maori Housing Programme in New Zealand - Its history, services currently offered and issues of major concern', p. 9

¹⁶⁸ Butterworth and Young, *Maori Affairs*, p. 105

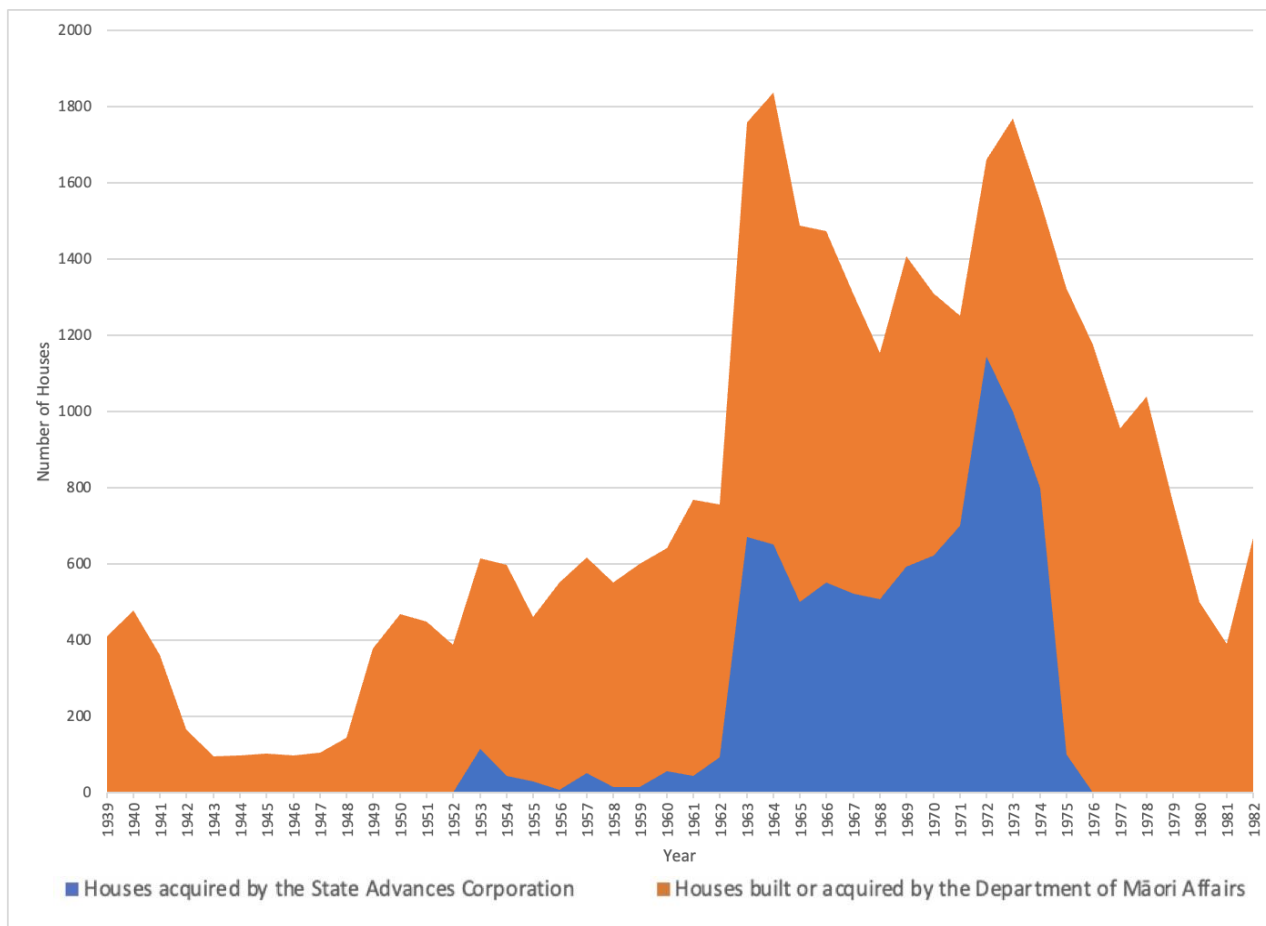


Figure 4.4: Houses provided under the Māori Housing programme from 1939 to 1982¹⁶⁹

as the number of new marriages each year. When these were factored in, the annual demand for new housing for Māori doubled to account for new marriages, to 1,060 houses per year, and then more than doubled again based on population growth, to 2,140 houses.¹⁷⁰ As Krivan explained, the need for new housing was even greater than this, so any self-congratulations about meeting housing need was misplaced:

Taking the maximum estimate of annual demand, 2,140, adding 660 for applications on hand, and 1,400 for unsatisfactory houses, gives a total estimate of demand of perhaps 4,200 houses

¹⁶⁹ Reconstructed from Moteane, 'Maori Housing Programme in New Zealand - Its history, services currently offered and issues of major concern', p. 9. For data, see Krivan, 'The Department of Māori Affairs Housing Programme, 1935 to 1967', pp. 135-6, Appendix 2, Table A.2.1

¹⁷⁰ Krivan, 'The Department of Maori Affairs Housing Programme, 1935-1967', pp. 106-7

per year between 1962 and 1967. This is two-thirds higher than Hunn's 1962 figure, and twice as high as his 1966 estimate. Hunn's projections of demand were too low.¹⁷¹

Over 1974–1975, the Department of Māori and Island Affairs financed 772 new builds and the purchase of 351 existing homes as a result of the special assistance it made available to families on low incomes. This assistance included higher loan limits, supplementary loans (including loans supplementing family benefit capitalisation), and a higher allowable income for capitalising family benefit and for rebated interest rates. The Department reported that, 'These extra forms of assistance, in addition to a higher rate of savings, made it possible for many more applicants to obtain sufficient finance for home ownership'. Their report also states that a 'large number' of Māori whānau obtained Housing Corporation finance to purchase a home.¹⁷² While less clear about whether Māori were able to access finance to build or purchase a home on Māori land or in a rural area, the Department reported in 1975:

Loans in rural areas are now more freely available. Many Maoris in these areas are taking advantage of special help to obtain modern facilities for their homes and to carry out substantial repairs and improvements to older-type dwellings.¹⁷³

During this time the Department of Māori Affairs also provided flats for young people working in urban centres and began constructing clusters of four to six kaumātua flats (one to two bedrooms) in rural locations, around marae or townships. The flats for young people continued the Department of Māori Affairs' work to provide accommodation for young people in urban centres. In the 1952–1953 financial year, for example, the Department had acquired six new hostels (giving it 10 hostels for girls and five for boys), giving it a total capacity of 165 places for boys and 272 for girls.¹⁷⁴ Māori hostels are discussed in more detail in other research reports for this inquiry.¹⁷⁵

The kaumātua flats provided rental housing for elderly Māori to support them remaining in their community, and were mainly built in Northland, Hamilton, Gisborne, and Rotorua. Up until 1976, a total of 54 units had been built. These flats were initially funded from the Special Māori Housing Fund (discussed earlier in this report), with more money allocated in 1976 so that more flats could be built each year.¹⁷⁶ Between 1977 and 1981, after the building programme was enlarged, between nine to 17

¹⁷¹ Krivan, 'The Department of Maori Affairs Housing Programme, 1935–1967', p. 107

¹⁷² 'Report of the Maori and Island Affairs Department', AJHR, 1975, E-13, p. 3

¹⁷³ 'Report of the Maori and Island Affairs Department', AJHR, 1975, E-13, p. 3

¹⁷⁴ 'Annual Report of the Board of Maori Affairs and of the Secretary, Department of Maori Affairs', AJHR, 1953, G-9, p. 12

¹⁷⁵ Max Nichol and Timothy Gassin, 'Historical Māori Housing, 1935–1990', 2023, draft report, (Wai 2750), pp. 153–165; Paul Christoffel 'Historical Māori Housing 1840–1934', 2022, (Wai 2750, #A9), pp. 84–97

¹⁷⁶ Krivan, 'The Department of Maori Affairs Housing Programme, 1935–1967', p. 125

flats were built each year.¹⁷⁷ Unable to attend the 1975 opening of 'Manawaru' (kaumātua flats built at Manutuke near Gisborne), the Minister of Māori Affairs, Matiu Rata, wrote about this new housing initiative:

Many of those who have made the decision to stay have had to cope with inadequate housing conditions in their declining years. The plan is to build flats adjacent to active maraes so that retired people can take a full part on marae activities. This is good for the people and good for the marae. This is nothing like a feeling of being useful to make one's life a satisfaction. Rather than thinking that our building homes for the elderly is to show our gratitude and our aroha, which we must keep if we are to retain our integrity as Maori, the real reason is the desire to keep our elders where they become the ones who keep our maraes, our communities and our lands warm with their presence.¹⁷⁸

In 1974, the State Advances Corporation merged with the Ministry of Works' Housing Division and became the Housing Corporation of New Zealand with the new, multipurpose State agency partly a response to the 1970 Commission of Inquiry into Housing's findings (discussed earlier in this chapter).¹⁷⁹ During the mid-to-late 1970s, the focus of government housing assistance began to change from the promotion of home ownership to being part of welfare policy. Roger Douglas, the Labour Minister for Housing 1974–1975, was responsible for much of the 1980s deregulation (discussed in more detail in the next chapter of this report). His desire to reduce the government's intervention in the housing market was continued by the National Government, elected in 1975.¹⁸⁰ The 1976 deregulation of state mortgage lending began with the removal of interest rate controls.¹⁸¹ In his MA thesis on New Zealand housing policy, Simon Campbell stated that

the loss of traditional overseas markets for New Zealand exports and balance of payments problems during the 1970s meant state lending and building programmes were re-evaluated as instruments of macroeconomic policy. House building in particular had been deliberately used by successive Governments since Labour in the 1930s to create employment and inject money into the domestic economy. But from the mid 1970s, as a result of international economic conditions, lending and rental housing began to be used to supplement the private housing market rather than manage it. Housing policy shifted from being an instrument of

¹⁷⁷ Gerard Fitzgerald, 'Rural housing in New Zealand: A Study into the Current Issues and Problems', Wellington: National Housing Commission Research Paper 82/6, 1982, p. 32; See also Moteane, 'Maori Housing Programme in New Zealand - Its history, services currently offered and issues of major concern', pp. 22-23

¹⁷⁸ 'Kaumatua flats opened at Manutuke', *Te Ao Hou*, June 1975, p. 42

¹⁷⁹ Davey and Kearns, 'Special needs versus the 'level playing-field': Recent developments in housing policy for Indigenous people in New Zealand,' p. 76

¹⁸⁰ Simon Campbell, 'Restructuring NZ housing policy 1990–1998: an institutional analysis', MA thesis, University of Canterbury, 1999, p. 9

¹⁸¹ Campbell, 'Restructuring NZ housing policy 1990–1998: an institutional analysis', p. 8

macroeconomic policy to an instrument of redistribution, in line with the greater emphasis on welfare.¹⁸²

Deregulation of state mortgage lending continued in 1979 with the lifting of the requirement that a proportion of government home loans be reserved for new housing.¹⁸³

In its 1980 annual report, the Department of Māori Affairs noted that the demand for Māori Affairs financing had lessened, partly due to urban Māori applying to the Housing Corporation or other lending agencies for mortgage finance.¹⁸⁴ The Housing Corporation, in turn, speculated that Māori may have preferred to apply for housing assistance to the Department of Māori Affairs ‘because of their particular socio-cultural needs’, including the Department’s support for applicants working through land title issues with Māori land.¹⁸⁵ However, while the Housing Corporation was adamant that it and the Department of Māori Affairs provided the ‘bulk of housing assistance to Māori people’, the Housing Corporation did not collect any information about the ethnicity of its clients.¹⁸⁶ The Housing Corporation steadfastly maintained that its decision-making was not influenced by ‘race’, but was not able to back this up with any data until the mid-1980s (discussed in more detail in the next chapter of this report).¹⁸⁷

The Department of Māori Affairs’ increased emphasis on rural housing during the mid to late 1970s highlighted the shortage of sections available for building new houses.¹⁸⁸ In 1976, the Department reported on this difficulty, even when applicants had land available to build on. According to the Department’s annual report, district planning schemes (discussed in more detail later in this chapter) frequently prevented Māori from building on their own land:

Some applicants are able to provide their own building sites, but limitations imposed by district planning schemes often prevent Māori land owners from building on their land. This lack of provision for home ownership for Maoris in their traditional areas is hampering the efforts of the department to improve the living conditions of Māori families living away from city areas.¹⁸⁹

¹⁸² Campbell, ‘Restructuring NZ housing policy 1990–1998: an institutional analysis’, p. 9

¹⁸³ Campbell, ‘Restructuring NZ housing policy 1990–1998: an institutional analysis’, p. 8

¹⁸⁴ AJHR, 1980, E-13, p. 9

¹⁸⁵ Murray Bathgate, *The housing circumstances of the Maori people and the work of the Housing Corporation in meeting their needs*, Wellington: Housing Corporation of New Zealand, 1987, p. 14

¹⁸⁶ Bathgate, *The housing circumstances of the Maori people and the work of the Housing Corporation in meeting their needs*, p. 14

¹⁸⁷ Bathgate, *The housing circumstances of the Maori people and the work of the Housing Corporation in meeting their needs*, p. 18

¹⁸⁸ AJHR, 1979, E-13, p. 11

¹⁸⁹ ‘Report of the Maori and Island Affairs Department’, AJHR, 1976, E-13, p. 4

In 1978, the Māori Trustee Board approved land improvement and subdivision finance for mostly rural areas, so that sections would become available and state houses could also be built by the New Zealand Housing Corporation.¹⁹⁰ In 1979, the Department reported:

To overcome this [lack of sections] the Māori Trustee has agreed to provide finance to assist with subdivisions. It is hoped that some of the sections will be offered to the Crown for state rental housing.¹⁹¹

In 1979, Māori Affairs also supported engineering tests on modular housing designed by Dr W. Parkes and a Kaitia-based group. It also looked to purchase houses that were left unoccupied after large development projects ended. The Department planned to transport these houses to rural areas with high housing need, as a quick and potentially cheaper way to providing housing. During 1979, the \$5,000 loan limit for renovations was abolished when there was security, and the limit for unsecured loans raised from \$3,000 to \$5,000 (also see later in this chapter).¹⁹² In 1980, the Department of Māori Affairs reported:

Since the introduction of the Maori Housing Act, some 24,000 families have been financed into home ownership. Over each of the last 5 years, an average of 1000 families a year have been assisted into new homes. In addition, many Māori families have obtained improved housing through loans for repairs and additions.¹⁹³

The implication is that in the years leading up to 1980, the Department of Māori Affairs may have been financing more housing mortgages in rural areas. Its plan was certainly to move in this direction. In 1980, the Department stated that it planned

to step up its housing activity in rural areas and is working with the Housing Corporation to offer more homes close to maraes or in small rural towns. There will need to be some local bodies to co-operate in this effort.¹⁹⁴

¹⁹⁰ Moteane, 'Maori Housing Programme in New Zealand - Its history, services currently offered and issues of major concern', p. 26

¹⁹¹ AJHR, 1979, E-13, p. 11

¹⁹² AJHR, 1979, E-13, p. 11

¹⁹³ AJHR, 1980, E-13, p. 9

¹⁹⁴ AJHR, 1980, E-13, p. 10

By 1981, the Māori census population count was 280,380 or 8.8 per cent of the population.¹⁹⁵ And by 1982, it was the policy of the Department of Māori Affairs to ‘assist Maoris to erect homes on their own land’.¹⁹⁶

The Department of Māori Affairs also operated a Rural Housing Improvement scheme which provided loans to upgrade houses in rural areas. This Department began the loan scheme in response to concerns about the ‘deteriorating conditions of rural Maori housing’, which was often located on land with title issues that prevented these landowners from being able to access finance from other organisations.¹⁹⁷ In 1969, the Board of Māori Affairs approved, on the conditions set out below, an extension of the Board’s Housing Policy to include the provision of finance to bring homes owned by Maori in rural areas to a satisfactory standard:

- a. Assistance to be given if after the renovations have been carried out the house will provide accommodation for the family for at least a further 10 years.
- b. Maximum loan to be \$2,000.
- c. Maximum term to be 10 years, a 5 year term to be given if owners can meet higher repayments.
- d. 100% advance to be given if necessary.
- e. Partitions and/or surveys not be insisted upon where these have not been done.
- f. Where the security is an undivided interest a meeting of owners is to be called upon to concede “Ownership rights” to the applicants.
- g. Where security is weak and the case appropriate the Conversion Fund is to be used to buy up residue interests.¹⁹⁸

A 1970 memorandum from the Kaikohe office to the Whangārei office clarified the ‘further 10 years’ clause above:

Most of the houses can be expected to be demolished when the present occupants leave it. There is not thought of patching up these places to have them last the life span of a new house. The

¹⁹⁵ Department of Statistics, *The New Zealand Official Year-Book*, 1982, Wellington: Department of Statistics, 1982,

https://www3.stats.govt.nz/New_Zealand_Official_Yearbooks/1982/NZOYB_1982.html#idsect1_1_19955 (accessed 18 January 2023)

¹⁹⁶ ‘Letter from A.J. Ferris, Assistant District Officer Department of Māori Affairs, Gisborne, to Attn. Sue Tucker, District Commissioner of Works, Ministry of Works and Development, Napier, 27 May 1982’, R22155645, Archives NZ, Auckland.

¹⁹⁷ Gerard Fitzgerald, ‘Rural housing in New Zealand: A Study into the Current Issues and Problems’, Wellington: National Housing Commission Research Paper 82/6, 1982, pp. 31-32

¹⁹⁸ Board of Māori Affairs, ‘Rural Housing Improvement Policy’, 1 February 1974, ‘Maori Housing - Quarterly Returns of Approved Housing Loans: rural housing policy, 1969 – 1976’, R21658928, Archives NZ, Auckland

criteria applied to these “rural loans” is entirely different from the criteria to be applied to a normal Housing Act loan and different again from a Māori Trustee “investment”.¹⁹⁹

The 10-year life span was also explained as being about the provision of ‘satisfactory’ accommodation for the ‘present family’ and not any mokopuna ‘who may hope to live in the place after the present occupants have gone’.²⁰⁰ In other words, the repairs were expected to be as good as the lifetime of a ten-year loan with the house crumbling into the earth shortly afterwards so that no mokopuna could use it as shelter on land they may have inherited. This could be considered a quick fix that would also further alienate the next generations from their land.

In 1970, the Māori Affairs District Officer for Whangārei, E.S. Thompson, called a meeting to discuss the reasons for a lack of progress in rural housing improvement so that he could then report to Head Office. The minutes record him as having stated: ‘Head Office had pointed out that the Rural Improvement policy was tailor-made to conditions in our district and the need of Northland residents and accordingly assumed we would have made considerably more progress than shown so far’. Attendees at this meeting decided to prioritise the 19 applications they had by making a ‘preliminary inspection to determine whether anything or nothing can be done for the occupiers’. If the application was to then proceed, the Welfare Officer would assist an applicant with ‘title work’ and gaining ‘ownership rights’.²⁰¹

The Whangārei branch of Māori Affairs reported to their Head Office in 1971 about the need for housing improvements and the challenges in carrying out the Rural Housing Improvement Scheme. In July 1971, Māori Affairs Whangārei reported to Head Office that

quite a number of the existing shacks were bought with money provided by the Department. Of course, some of them are quite old now, built 30–40 years ago with the accumulation of rent moneys or sale moneys under the aegis of the old Maori Land Board, but then again, some of them can be recognised as ex-mortgages under the Maori Housing Act.²⁰²

The reasons provided for their state of disrepair included the discharging of mortgages without a housing inspection that may have resulted in repairs having to be done, often with loan monies, before

¹⁹⁹ ‘Memo from Māori Affairs Kaikohe to Whangarei’, 12 October 1970, ‘Maori Housing - Quarterly Returns of Approved Housing Loans: rural housing policy, 1969 – 1976’, R21658928, Archives NZ, Auckland

²⁰⁰ ‘Memo from Māori Affairs Kaikohe to Whangarei’, 12 October 1970, ‘Maori Housing - Quarterly Returns of Approved Housing Loans: rural housing policy, 1969 – 1976’, R21658928, Archives NZ, Auckland

²⁰¹ ‘Minutes of Meeting held 3.12.70 to discuss rural housing improvement progress’, 3 December 1970, ‘Maori Housing - Quarterly Returns of Approved Housing Loans: rural housing policy, 1969 – 1976’, R21658928, Archives NZ, Auckland

²⁰² ‘Memo from Whangarei Maori Affairs Office to Head Office’, 13 July 1971, ‘Maori Housing - Quarterly Returns of Approved Housing Loans: rural housing policy, 1969 – 1976’, R21658928, Archives NZ, Auckland

this discharge was actioned. In August 1971, the Whangārei branch of the Department of Māori and Island Affairs reported to Head Office about their difficulties establishing the Rural Housing Improvement scheme in the region. This followed their reporting that their ‘travelling officer’ had visited and ‘sorted out’ 12 applicants to the extent that all 12 ‘quickly withdrew’ their applications.²⁰³ As recorded in another 1971 memorandum: ‘Occupier says “Leave me alone”’. Other occupants had also refused assistance, had made their own repairs, or had moved on.²⁰⁴ Eligible Māori applicants were described as lethargic because they were not approaching the Department for help to ‘improve their living conditions’. They objected to being approached even when they lived under what were described as ‘deplorable conditions’.²⁰⁵ A memorandum from the Whangārei branch of Māori Affairs to Head Office stated:

Reading the [travelling officer’s] report in conjunction with others and with a knowledge of individual files, I believe drawbacks to getting rural housing going include ... Lack of willingness by potential applicants. They are not willing to pay scale rates for such improvements as can be offered for \$2000. Plenty of people are paying only \$10 a week or less for a full house yet we can offer only minor improvements for \$5 ... A multitude of reasons produced by potential applicants which are all ... on the theme that they will not pay ... It may be that some of our field officers are becoming stale on some families.²⁰⁶

This memorandum also explained that there was a ‘residue of people who have been chased for years’, which sounds like the Department of Māori Affairs had been strongly encouraging Māori homeowners to borrow money through this scheme for house repairs for a long time. Some Māori were refusing to participate in this scheme even when their house had received a demolition notice. While the Department of Māori Affairs claimed to be working with the community, statements about field officers trying to help people ‘who looked to be obvious qualifiers for rural improvement assistance’ suggests a certain amount of judgement and shaming that may not have gone down well with Māori.²⁰⁷ This memorandum also stated:

Among some of the reluctant borrowers there are some who would attempt to undertake a full housing loan in their isolated locality ... There are squatters (non-owners) whom we cannot help

²⁰³ ‘Memo from Whangarei Maori Affairs Office to Head Office’, 6 August 1971, ‘Maori Housing - Quarterly Returns of Approved Housing Loans: rural housing policy, 1969 – 1976’, R21658928, Archives NZ, Auckland

²⁰⁴ ‘Memo from Whangarei Maori Affairs Office to Head Office’, 13 July 1971, ‘Maori Housing - Quarterly Returns of Approved Housing Loans: rural housing policy, 1969 – 1976’, R21658928, Archives NZ, Auckland

²⁰⁵ ‘Memo from Whangarei Maori Affairs Office to Head Office’, 5 August 1971, ‘Maori Housing - Quarterly Returns of Approved Housing Loans: rural housing policy, 1969 – 1976’, R21658928, Archives NZ, Auckland

²⁰⁶ ‘Memo from Whangarei Maori Affairs Office to Head Office’, 5 August 1971, p. 2, ‘Maori Housing - Quarterly Returns of Approved Housing Loans: rural housing policy, 1969 – 1976’, R21658928, Archives NZ, Auckland

²⁰⁷ ‘Memo from Whangarei Maori Affairs Office to Head Office’, 5 August 1971, ‘Maori Housing - Quarterly Returns of Approved Housing Loans: rural housing policy, 1969 – 1976’, R21658928, Archives NZ, Auckland

under rural housing so that the potential demand does not near equal the number of sub-standard houses. Further some houses are so derelict no amount of money would prop them up.²⁰⁸

Towards the end of 1973, Maori Affairs' lending under the Rural Housing Improvement scheme had slowed. The loans were for up to \$2,000, but the cost of the repairs needed often exceeded this (see Table 4.3 below for an example of the average repair costs). The loan limit made 'it impossible to carry out sufficient remedial work' as the 'average application' required. The estimated cost included travelling expenses 'as most of these places are out in the country'.²⁰⁹

Table 4.3: Average requirements, Kaitaia 1973, for a Department of Māori Affairs housing improvement loan, 'Memo from Kaitaia to Whangarei Maori Affairs Office', 19 November 1973, Maori Housing - Quarterly Returns of Approved Housing Loans: rural housing policy

Work required	Cost
Reblocking	100
Reroofing	500
Resheathing (incl. joinery)	250
Rewiring	200
Conc. Tank, pump & motor	800
Septic tank & drainage	650
Painting & redeck.	800
Total	\$3,300

While many people qualified for the loans, the Department of Māori and Island Affairs reported that it could not take their applications with the loan limit. The Kaitāia office therefore only processed six applications in November 1973 while advocating for an increased loan limit of \$3,000.²¹⁰ From 1979 onwards, the increased loan limit of \$5,000 per house could be removed if the loan could be 'adequately secured'. In 1978, the Department of Māori Affairs reported that only five loans had been provided under this scheme in the last year. Other annual reports either did not mention this scheme or combined loans under this scheme with other Māori Affairs loans which makes it difficult to ascertain the effectiveness of this housing programme for Māori during this period.²¹¹

²⁰⁸ 'Memo from Whangarei Maori Affairs Office to Head Office', 5 August 1971, 'Maori Housing - Quarterly Returns of Approved Housing Loans: rural housing policy, 1969 – 1976', R21658928, Archives NZ, Auckland

²⁰⁹ 'Memo from Kaitaia to Whangarei Maori Affairs Office', 19 November 1973, Maori Housing - Quarterly Returns of Approved Housing Loans: rural housing policy, 1969 – 1976. R21658928, Archives NZ, Auckland

²¹⁰ 'Memo from Kaitaia to Whangarei Maori Affairs Office', 19 November 1973, Maori Housing - Quarterly Returns of Approved Housing Loans: rural housing policy, 1969 – 1976. R21658928, Archives NZ, Auckland

²¹¹ Fitzgerald, 'Rural Housing in New Zealand', pp. 31-32

The Department of Māori Affairs' response to Māori housing needs during this period were increasingly effective from the early 1950s to the late 1960s. The Hunn Report's housing goals were almost met by the Department of Māori Affairs during the period 1961 to 1971, but were an underestimate because of Māori population increase and marriage. The government housing provision for Māori declined from the late 1960s onwards. In addition, the mortgage finance that was available to Māori often required the partitioning or subdivision of their land to generate housing sections that were acceptable as security. While there were some efforts to provide financial assistance to repair houses on Māori land, these initiatives were not entirely successful as the cost of repairs often exceeded the loan limits. Further, not all whānau wanted to borrow money to fund repairs to their dwellings, especially a loan secured against their land that might put it at risk. A lack of detailed information on this scheme also makes it difficult to fully assess the effectiveness of this targeted housing repairs programme.

4.4 What were some of the impacts of Crown legislation and policies in terms of adequate housing and access to housing on Māori land?

This section discusses how town planning legislation hampered house building on Māori land. It then examines how the Māori Affairs Amendment Act 1967 facilitated the alienation of Māori land, which further reduced the amount of land available for house building and led to land protests. The case studies in this section provide further illustration of some of the impacts for Māori of Crown legislation and policies.

The First National Government (elected in 1949) was even more fervent than its Labour predecessor about the assimilation of Māori, which influenced its targeted housing assistance for Māori.²¹² In his 1950 statement on the housing policy of his government, National Prime Minister Sidney Holland declared: 'The housing of the Maori people presents its own special problems'. Holland maintained that the 'communal ownership of Maori land' was a 'complex problem' for Māori housing and was one of the reasons why the government had taken 'a special interest in housing the Maori people'.²¹³ Holland actively pursued more land reforms that would undermine the collective ownership of Māori land, as this was seen as a barrier to Māori progress. In this policy statement, Holland also outlined the social value of home ownership and the initiatives the government was putting in place in urban centres, including a commitment that 'where insufficient sections are held the Government will acquire and develop land for sale'.²¹⁴ He noted that it was more difficult to assess housing demand in rural districts,

²¹² Hill, *Māori and the State: Crown-Māori relations in New Zealand/Aotearoa, 1950–2000*, p. ix

²¹³ Holland, 'Housing Policy', p. 10

²¹⁴ Holland, 'Housing Policy', p. 7

although building costs were higher and it was harder to secure building contractors.²¹⁵ Holland also argued that ‘few Maoris are in touch with latest developments in housing standards, or are familiar with by-laws and other housing regulations’.²¹⁶ Throughout the 1950s, the Crown continued to identify problems facing rural Māori wanting to become homeowners including lower incomes, larger families, not understanding the importance of thrift, and having no land interests in land that was suitable for house building.²¹⁷

The Crown’s policies regarding Māori land were driven by economic concerns as well as the overriding policy of assimilation. By the 1955–1956 fiscal year, the gross national income had more than quadrupled (£982 million) compared to 1938–1939 (£231 million). However, this increase was caused mostly by price rises, and only partly by rises in the volume of services and goods available.²¹⁸ The National Government aimed to increase productivity, and this would drive a strong narrative as well as legislative changes intended to bring ‘unproductive’ Māori land into productivity for the good of the nation.²¹⁹ These changes included the Māori Purposes Act 1950, the Māori Land Amendment Act 1952, and the Māori Affairs Act 1953 and its subsequent amendments. This section canvasses these Acts alongside other evidence that did or did not influence legislative and policy changes impacting housing on Māori land.

The Māori Purposes Act 1950 introduced new government policy relating to Māori land. Provisions in this Act included providing ‘compensation to lessees for improvements, the bringing into production of idle Maori land, and the settlement of long-outstanding Maori land claims’.²²⁰ Claims reported as settled under the Act, for example, included those related to the Aorangi block near Waipukurau and the Pātutahi block near Gisborne.²²¹ This Act also enabled the Māori Land Board to ‘expend funds for the purpose of providing housing for officers of Department of Maori Affairs’.²²²

It was considered important to include compensation provisions for land improvements in the Māori Purposes Act 1950 so that these improvements would be maintained until the end of the lease. This was a time when many leases on Māori land were ending and landowners were being charged for

²¹⁵ Holland, ‘Housing Policy’, p. 9

²¹⁶ Holland, ‘Housing Policy’, p. 10

²¹⁷ ‘Annual Report of the Board of Maori Affairs and of the Secretary, Department of Maori Affairs’, AJHR, 1954, G-9, p. 24

²¹⁸ Frank Holmes, ‘The quest for security and welfare in New Zealand 1938-1956’, Institute of Policy Studies Policy Paper, 19, 2004, Wellington: Victoria University of Wellington, p. 2

²¹⁹ Hill, *Māori and the State: Crown-Māori relations in New Zealand/Aotearoa, 1950–2000*, p. 89

²²⁰ ‘Annual Report of the Board of Maori Affairs and the under-secretary of the Department of Maori Affairs’, AJHR, 1951, G-9, p. 13a

²²¹ ‘Annual Report of the Board of Maori Affairs and the under-secretary of the Department of Maori Affairs’, AJHR, 1951, G-9, p. 13

²²² Maori Purposes Act 1950 (1950 No 98), p. 1121

‘improvements’ made to their land by leases or returned land that was in a state of neglect because lessees stopped looking after it in the years leading up to the breaking or end of their lease.²²³ Pākehā leaseholders exerted pressure for Māori landowners to extend their lease arrangements. When their land was returned in a degraded state, the Māori Trustee was empowered to step in as an agent for the owners to execute or extend lease arrangements. At the same time, the Crown claimed the Act’s ‘new provisions provide more adequate safeguards for the interests of owners of the freehold than previously existed’.²²⁴

The Maori Purposes Act 1950 gave local authorities ‘further impetus’ to collect rates from Māori freehold land.²²⁵ Section 30 gave the Land Court authority to appoint the Māori Trustee as the owners’ agent to affect land alienation when rates had not been paid.²²⁶ This provision was then repeated in the Māori Affairs Act 1953 and only repealed in the Māori Purposes Act 1970.²²⁷ While this alienation was only intended in this Act to be by lease, the Māori Trustee had the power to alienate by lease or sale. The Māori Trustee was receiver for 341 blocks for unpaid rates by 1961.²²⁸

The Māori Land Amendment Act 1952 abolished Māori Land Boards, with their duties being passed to the Māori Trustee. The chief reason given was ‘the desire to simplify the handling of Māori matters’, including freeing up Māori Land Court Judges from their roles as Presidents of the Māori Land Boards.²²⁹ While this did not impact the Māori housing and land development loan monies controlled by the Board of Māori Affairs, the Māori Trustee was empowered to also provide mortgage loans without these needing to come under a land development scheme. Loan applications for any loans were still made through the District Office of the Department of Māori Affairs.²³⁰

At this time, the Department of Māori Affairs primarily constructed new homes for Māori in rural areas.²³¹ In 1952, a subcommittee of the Department of Māori Affairs Under-Secretary (or their assistant) and a Treasury representative was given authority to handle all housing matters, with some exceptions where the full Board of Māori Affairs were called upon to deliberate.²³² Districts (through

²²³ Cathy Marr, *The alienation of Maori land in the Rohe Potae (Aotea Block). Part 2: 1900–1960*, Rangahaua Whānui District 8, Wellington: Waitangi Tribunal, 1999, p. 117

²²⁴ ‘Annual Report of the Board of Maori Affairs and the under-secretary of the Department of Maori Affairs’, AJHR, 1951, G-9, p. 13

²²⁵ Bennion, *Māori and rating law. Rangahaua Whānui National Theme i*, p. 70

²²⁶ Māori Purposes Act 1950, s34(c); ‘Annual Report of the Board of Maori Affairs and the under-secretary of the Department of Maori Affairs’, AJHR, 1951, G-9, p. 13

²²⁷ Māori Affairs Act 1953, s387(c); Bennion, *Māori and rating law. Rangahaua Whānui National Theme i*, p. 70

²²⁸ G.V. Butterworth and S.M. Butterworth, *The Māori Trustee*, Wellington: The Māori Trustee, 1991, p. 83

²²⁹ ‘Why were the Māori Land Boards abolished?’, *Te Ao Hou*, Spring 1952, p. 50

²³⁰ Krivan, ‘The Department of Maori Affairs housing programme, 1935–1967’, pp. 81-82

²³¹ Holland, *Housing Policy*, p. 11

²³² Harris and Williams, *Te Ao Hurihuri: The changing world 1920–2014*, p. 50

department officers or ad hoc committees) were also given the power to decide on loan applications.²³³ These changes were made to speed up the processing of loan applications. According to Mark Krivan, while the Board of Māori Affairs ‘began to take more account of welfare considerations when approving loans ... District officers were not fully aware of the “social and humanitarian values” upon which the housing programme was partly based... [and so] tended more toward the strict commercial approach than necessary’.²³⁴

The Māori Affairs Act 1953 was the primary Māori Affairs statute for four decades. The Under-Secretary of the Department of Māori Affairs (1948–1957), Tipi Tainui Ropiha (Ngāti Kahungunu, Rangitāne), described the preparation of the Māori Affairs Bill as ‘one of the most far-reaching activities of my Department’.²³⁵ He described Māori land title law as a ‘remnant of a communal way of life’ that did not support modern farming conditions.²³⁶ Instead, blocks of land needed to be owned by one or, at most, a small group of co-owners.²³⁷ Part of the agenda of the Māori Affairs Act 1953 was therefore ‘improvements’ to Māori land, particularly land holdings that were deemed ‘uneconomic’ because they did not produce revenue. The Maori Trustee Act 1953 complemented the Māori Affairs Act 1953, with the Māori Trustee relocated to within the Department of Māori Affairs and given most of the functions of the abolished (in 1952) land boards. These functions included responsibility for the collection and distribution of rent from leased land as well as being the primary agent in the Crown’s conversion programme (that is, the reduction of the number of owners on a land title).²³⁸

The repetition of Section 30 of the Maori Purposes Act 1950 and its implications for the alienation of land by the Māori Trustee because of rates debt is outlined above. Historian Suzanne Woodley also describes how section 438 of the Māori Affairs Act 1953 (although not specifically about rating) was used extensively by the Horowhenua Country Council to sell Māori land so that the proceeds could be used to pay outstanding rates. With the consent of the Minister, Māori freehold land could be compulsorily vested in Court-appointed trustees. This move was supposed to be ‘for the benefit of Maoris or the descendants of Maoris’.²³⁹ However, the temporary trustees, including the Māori Trustee, could alienate the land as if they were its owners (subject to the vesting order), without consideration

²³³ Krivan, ‘The Department of Maori Affairs Housing Programme, 1935–1967’, p. 81

²³⁴ Krivan, ‘The Department of Maori Affairs Housing Programme, 1935–1967’, pp. 82–83

²³⁵ ‘Foreword by the Minister for Māori Affairs’, AJHR, 1953, G-9, p. 1

²³⁶ ‘Foreword by the Minister for Māori Affairs’, AJHR, 1953, G-9, p. 1

²³⁷ ‘Foreword by the Minister for Māori Affairs’, AJHR, 1953, G-9, p. 1

²³⁸ Waitangi Tribunal, *He kura whenua ka rokohanga: Report on claims about the reform of Te Ture Whenua Māori Act 1993*, Wellington: Legislation Direct, 2016, p. 37

²³⁹ Māori Affairs Act 1953, s438(1)

of leasing or selling to Māori. The requirement that this needed the consent of the Minister was amended in 1967.²⁴⁰

Corbett was determined that Māori land be brought into full economic production so that Māori and the general public might benefit.²⁴¹ The government had little tolerance for what it considered Māori sentimental attachment to land or what it saw as the persistence of Māori communal social organisation. Instead, it saw congested and fragmented land titles as a barrier to Māori progress. The remnants of Māori communal life in rural locations were likewise seen as unsuitable to a modern farming economy.²⁴² However, as Aroha Harris writes, ‘communal tenure was also part of the fabric of Māori society, integral to determining the nature of tribal organization’.²⁴³ Corbett described succession laws that allowed for multiple owners, many of whom were absent from the land, as disrupting traditional principles of *te ahikāroa* (land occupation by those who occupy it and tend the home fires).²⁴⁴ Sir Hugh Kawharu, however, wrote that emigration from their tribal homes had nothing to do with the fragmentation of Māori land. He also reiterated that reform needed to be argued out between Māori and the legislature because the system Māori were forced to operate under was not of their own making.²⁴⁵

The National Government provided the Department of Māori Affairs further resourcing for Māori land administration and development. However, this increased resourcing was offset by the title improvements demanded in the Māori Affairs Act 1953.²⁴⁶ The Act also changed the name of the Native Land Court to the Māori Land Court and allowed the Court to ‘vest any uneconomic interests in Māori Land in the Trustee for administration’.²⁴⁷ ‘Conversion’ allowed the Māori Trustee to acquire uneconomic interests in Māori land, with conversion compulsorily exercised in succession, partition, or consolidation. The Māori Trustee also had a conversion fund that could be used to buy interests in any freehold Māori land with the owner’s consent (and, from 1957, interests in general land held by

²⁴⁰ Suzanne Woodley, ‘Porirua ki Manawatū Inquiry District: Local government issues report. A report prepared for the Porirua ki Manawatū Inquiry and commissioned by the Crown Forestry Rental Trust’, 2017, p. 63

²⁴¹ Harris and Williams, *Te Ao Hurihuri: The changing world 1920–2014*, p. 51

²⁴² Harris, ‘Maori land title improvement since 1945: Communal ownership and economic use’, p. 133; See also NZPD, 1950, Vol. 293, pp. 4722–4731, pp. 4747–4754

²⁴³ Harris, ‘Maori land title improvement since 1945: Communal ownership and economic use’, p. 133

²⁴⁴ E.B. Corbett, ‘Foreword by the Minister of Maori Affairs’, AJHR, 1953, G-9, pp. 1–2; See also Harris, ‘Maori land title improvement since 1945: Communal ownership and economic use’, p. 133

²⁴⁵ Kawharu, *Maori Land Tenure: Studies of a Changing Institution*, pp. 89–130; See also Harris, ‘Maori land title improvement since 1945: Communal ownership and economic use’, p. 133

²⁴⁶ Harris and Williams, *Te Ao Hurihuri: The changing world 1920–2014*, p. 51

²⁴⁷ Controller and 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’, Wellington: Office of the Auditor-General, 2011, p. 24

Māori).²⁴⁸ In 1956, the Department of Māori Affairs reported: ‘The predominant principle adopted in title improvement work is to avoid any compulsory methods save as a last resort’.²⁴⁹

The amalgamation of titles to farming land in Ruatāhuna in Te Urewera and the establishment of the Ruatāhuna Farm Scheme demonstrates how Māori understandings differed from those of the Crown. At a meeting the owners unanimously agreed to cancel their separate titles so that one title could be granted to farming lands and for the land to be developed by the Department of Māori Affairs.²⁵⁰ However, Clementine Fraser, in her research report for the Te Urewera inquiry, argued that the implications of amalgamation (including the dissolution of whānau ownership of specific areas) were never properly explained to the people, stating:

The people of Ruatahuna believed that amalgamation meant a simple joining together for a particular purpose - a joining that, unlike an amalgamation could be dismantled when the time came to return the lands for settlement by farmers of Ruatahuna.²⁵¹

Land conversion was condemned by Māori MPs and many Māori likened it to land confiscation. However, Harris and Williams noted that in Te Tai Tokerau many of those who voluntarily offered their land interests for conversion were Māori Affairs housing applicants who then put the purchase funds they received towards new housing, renovations, or household furnishings.²⁵² Harris has also noted that Māori in the 1950s and 1960s were diverse in their attitudes and attachment to their land:

Both oral and written accounts suggest that many Maori people were quite willing to give up at least some of their land interests in return for assistance in the shift to town, or in pursuit of sole or family ownership of a farm. On the other hand, shareholders in larger blocks of Maori land have actively worked at maintaining the integrity of tribal ownership.²⁵³

The Town and Country Planning Act 1953, which replaced the Town-planning Act 1926, did not acknowledge Māori interests and had what historian Cathy Marr described as a ‘profound impact on Māori land’.²⁵⁴ Planner Janet Stephenson described the Act as the first formal planning legislation that

²⁴⁸ Waitangi Tribunal, *He kura whenua ka rokohanga: Report on claims about the reform of Te Ture Whenua Māori Act 1993*, Wellington: Legislation Direct, 2016, p. 38

²⁴⁹ ‘Annual Report of the Board of Maori Affairs’, AJHR, G- 9, 1956, p. 9; See also Kawharu, *Maori Land Tenure: Studies of a Changing Institution*, p. 95

²⁵⁰ Tuawhenua Research Team, ‘Ruatāhuna, Te Manawa o Te Ika. Part Two: A History of the Mana of Ruatāhuna from the Urewera District Native Reserve Act 1896 to the 1980s’, 2004, (Wai 894, #D2), p. 512; See also Clementine Fraser, ‘Amalgamation of Urewera lands 1960–1980’, 2004, (Wai 894, #F3), p. 6

²⁵¹ Fraser, ‘Amalgamation of Urewera lands 1960–1980’, p. 7

²⁵² Harris and Williams, *Te Ao Hurihuri: The changing world 1920–2014*, pp. 51–53; See also Harris, ‘Maori land title improvement since 1945: Communal ownership and economic use’, p. 141

²⁵³ Aroha Harris, ‘Maori land title improvement since 1945: Communal ownership and economic use’, *New Zealand Journal of History*, 31, 1, 1997, p. 134

²⁵⁴ Marr, *Public Works takings of Māori land, 1860–1981*, p. 159

significantly affected Māori land.²⁵⁵ Under the 1953 legislation, all local authorities were required to produce a land-use focused District Scheme (which the Māori Land Court had to take account of when considering partitioning Māori land, even though the Court still had jurisdiction), but there was no guidance in the Act about the consideration of Māori development within this District Scheme.²⁵⁶ It was perhaps inevitable, therefore, that ‘town planning...affected the control and management powers or rangatiratanga of Māori over their own land by limiting the uses to which the land could be put’.²⁵⁷ According to Stephenson:

District schemes...not only began to control the use of Māori land, but also became increasingly important in decisions about the taking, control and use of Māori land for public purposes. Processes such as designated uses, zoning, subdivision requirements and public reserve contributions all had a significant impact on the retention and use of Māori land.²⁵⁸

Although marae were classified as ‘existing use’ there was no requirement in the Act for local authorities to consult with Māori, just as there was no recognition that Māori landowners needs might differ from those of Pākehā.²⁵⁹ The migration of Māori away from rural areas during the 1950s to 1960s reduced the Māori population in many rural areas. Stephenson quoted Judge R.M. Russell of the Māori Land Court that in the creation of their district schemes, planners zoned many rural marae that had only one or two houses nearby as Marae Reserves and the surrounding land as rural. People returning to their home areas later in life were consequently unable to build retirement homes near their marae because of zoning requirements that they had to have 5 to 10 acres of land.²⁶⁰ Building on smaller sections would have been permitted within a subdivision, but subdivision rules on rural land may have prevented Māori using this option to build near their marae.²⁶¹ For Māori in Tauranga, a change in zoning of the land around their marae from rural to urban residential meant that not only could they not build houses but that the rates became even more unaffordable. This was described by the Waitangi Tribunal,

Because of the planning regime, and the flow-on effects in terms of loan availability, it had become very difficult to build houses on Māori land around the various marae. Further, all

²⁵⁵ Janet Stephenson, ‘Recognising rangatiratanga in resource management for Maori land: A need for a new set of arrangements?’, *New Zealand Journal of Environmental Law*, 5, 159, 2001, p. 174

²⁵⁶ Waitangi Tribunal, *Tauranga Moana, 1886–2006: Report on the Post-Raupatu Claims*, Vol. 2, Wellington: Legislation Direct, Wai 215, 2010, p. 758

²⁵⁷ Marr, *Public Works takings of Māori land, 1860–1981*, p. 160

²⁵⁸ Stephenson, ‘Recognising rangatiratanga in resource management for Maori land: A need for a new set of arrangements?’, p. 174; See also Marr, *Public Works takings of Māori land, 1860–1981*, p. 158

²⁵⁹ Waitangi Tribunal, *Tauranga Moana, 1886–2006: Report on the Post-Raupatu Claims*, Vol. 2, Wellington: Legislation Direct, Wai 215, 2010, p. 758

²⁶⁰ Stephenson, ‘Recognising rangatiratanga in resource management for Maori land: A need for a new set of arrangements?’, p. 175; Murton, ‘The Crown and the Peoples of Te Urewera, 1860–2000: The Economic and Social Experience of a People’, p. 1992

²⁶¹ Marr, *Public Works takings of Māori land, 1860–1981*, p. 160

through this time, as zoning changed from rural to urban residential, there were huge rates increases in peri-urban areas that often led to Māori land there being sold.²⁶²

John Tamihere has also written that planning legislation and regulations, along with government legislation (such as the Public Works Act), laid the foundation for the removal of remaining Māori land out of Māori hands. He gave the example of Ngāti Wai coastal lands that the Whangārei City Council rezoned as public reserve and open space in its 1974 proposed District Scheme. While Pākehā owned seven eighths of the coastal strip within the Ngāti Wai rohe, only 800 acres of Pākehā land was rezoned, compared to over 5,500 acres of Māori land that included the Whangaruru Marae and ancestral burial grounds.²⁶³ As Tamihere noted:

The failure to so designate 2000 acres of coastal land held by New Zealand Breweries and also an American owned island in the area might be seen to support those who allege discrimination in favour of vested interests.²⁶⁴

According to Deidre Brown, many Māori were also effectively made homeless by the Town and Country Planning Act as their multiply-owned or fragmented landholdings meant they did not meet the necessary criteria for gaining permission to build housing on their land. These criteria included the owner being a rural worker and having enough land to be self-sufficient (at least 5 to 10 acres).²⁶⁵ Even if landowners met these criteria, their house site needed to be partitioned before they were eligible for mortgage finance. During the 1960s, a substantial number of applications for housing loans to build on Māori land were from those who needed their land partitioned before they could build. Local authorities during this period delayed housebuilding on Māori land by using the Town and Country Act to oppose land partitioning.²⁶⁶ The District Officer in Whakatāne, for example, noted that the Town and Country Planning Act did not condone the partitioning of Māori land sections for house building, predicting that the change brought about by the legislation – from the once ‘elastic policy’ of the Whakatane County Council to the strict enforcement of the Act – would create difficulties in the future.²⁶⁷

The restrictions on people’s ability to build on their own land meant the Act could be seen as a way of prompting Māori to accept they would have to buy a section in town if they wanted to become

²⁶² Waitangi Tribunal, *Tauranga Moana, 1886–2006: Report on the Post-Raupatu Claims*, Vol. 2, pp. 758-9

²⁶³ John Tamihere, ‘Te Take Māori: A Māori perspective of legislation and its interpretation with an emphasis on planning law’, *Auckland University Law Review*, 5, 1984, p. 139

²⁶⁴ Tamihere, ‘Te Take Māori: A Māori perspective of legislation and its interpretation with an emphasis on planning law’, p. 139

²⁶⁵ Brown, ‘Tūrangawaewae kore: Nowhere to stand’, p. 347

²⁶⁶ Murton, ‘The Crown and the Peoples of Te Urewera, 1860–2000: The Economic and Social Experience of a People’, p. 1977.

²⁶⁷ Murton, ‘The Crown and the Peoples of Te Urewera, 1860–2000: The Economic and Social Experience of a People’, p. 1974

homeowners.²⁶⁸ Māori Affairs officials attempted to encourage those applying to partition their land to build on Crown-owned general land in urban areas instead of on unpartitioned Māori land, but these attempts were often unsuccessful.²⁶⁹ While this legislation constrained building houses on Māori land, one positive aspect of the Act was the affirmation that income from various sources could be used to qualify for housing loans, including income from pensions and benefits, land rents, wages, and farm proceeds.²⁷⁰ In its report on the on Te Ātiawa/Ngāti Awa Claims (Wai 2200), the Waitangi Tribunal found

the Town and Country Planning Act 1953 was inconsistent with Treaty principles because it gave no protection to Māori interests, did not require consultation with Māori, failed to take any account of Māori cultural values in town planning, and gave an extremely wide latitude to take land compulsorily for a district scheme.²⁷¹

As signalled by Tamihere above, the Public Works Act also continued to impact on Māori housing. In the case of Pukaki Marae on the Manukau Harbour, people were left ‘in despair’ when they had to build elsewhere because restrictions related to the Auckland International Airport (opened 1965) meant they could not be housed on their own land.²⁷² As the Waitangi Tribunal explained:

Pukaki marae was also in the flight path of a projected second runway and restrictions were introduced on any development in the proposed path. It is claimed that these restrictions prevented the Pukaki marae from developing with the result that the people were "forced" to abandon the area.²⁷³

The impact of land taken under the Public Works Act for an airport was also felt by Ngāti Uenuku Kopako. The land they lost within the East Lake Rotorua geothermal field in 1961 included ‘an important papakainga and bath site’.²⁷⁴

Historian Cathy Marr has also written that by the 1960s the increasing scarcity of serviced land in cities and boroughs influenced Public Works department policy to acquire large tracts of undeveloped land

²⁶⁸ Murton, ‘The Crown and the Peoples of Te Urewera, 1860–2000: The Economic and Social Experience of a People’, p. 1975

²⁶⁹ Murton, ‘The Crown and the Peoples of Te Urewera, 1860–2000: The Economic and Social Experience of a People’, p. 1977

²⁷⁰ See also Murton, ‘The Crown and the Peoples of Te Urewera, 1860–2000: The Economic and Social Experience of a People’, p. 1960, p. 2002

²⁷¹ Waitangi Tribunal, *Waikanae - Report on Te Ātiawa/Ngāti Awa Claims (Wai 2200)*. Wellington: Waitangi Tribunal, 2022, p. xxviii

²⁷² Waitangi Tribunal, *Manukau report. Report of the Waitangi Tribunal on the Manukau Claim (Wai-8)*. Wellington: Waitangi Tribunal, 1985, p. 27

²⁷³ Waitangi Tribunal, *Manukau report. Report of the Waitangi Tribunal on the Manukau Claim (Wai-8)*, p. 27

²⁷⁴ Waitangi Tribunal, *Preliminary report on the Te Arawa Representative Geothermal Resource Claims*. Wellington: GP Publications, 1993, p. 3

for housing developments, such as the land behind the pā at Porirua. Fragmentation of land titles had led to problems with rates payments, effective use of the land, and connections to services (due to antagonism with the county council over rates payments). The Government proposed to develop the land, as it needed extensive earthworks that the Māori owners were unable to invest in. Meetings were held at the pā, in line with government policy that was brought into play in the 1950s, ‘to try and reach agreement with owners before taking any land’ under the Public Works Act. However, while these meetings were being held, mortgages for new housing on the land were denied as a coercive tactic to gain agreement. In addition, the conditions Porirua Māori tried to obtain in return for their agreement were rejected by the Crown.²⁷⁵ The Tribunal found:

The Maori owners were generally supportive of plans to redevelop and improve their land and to provide extra housing. However they were less enthusiastic about the compulsory taking of land. They made it clear that the land was important as a last remnant of ancestral land and that they wanted any housing to go to Maori needs in the area. Government officials rejected this however. ...it was decided that ‘... The aggregation of further Maori families in or about the Pa area is really against policy’ and it was better to ‘avoid undue concentrations of Maori in the area ...’ It was decided instead that the land would be taken to overcome title problems and would be used for mixed housing. An equivalent number of other sections would be made available to Maori throughout the various state housing areas in Wellington to make up for the ones used for non-Maori housing in the block.²⁷⁶

The Crown also promised that the improvement of the Māori township at the front of the development.²⁷⁷ However, unlike earlier developments, no actual shops were built.²⁷⁸

Papakāinga were also lost when the Crown claimed land that Māori were living on, in spite of petitions that challenged the original sale claims made by Pākehā and sought the return to Māori of their ancestral lands. In its 1997 *Muriwhenua Land Report (Wai 45)* the Waitangi Tribunal recorded claimants’ narrative about the Crown’s assertion of its claim to Kapowairua.²⁷⁹ The Tribunal then wrote,

The loss of the papakainga at Kapowairua is still most keenly felt by Ngati Kuri and Te Aupouri. They were required to vacate in the 1960s, over 120 years after it was said that this and a much larger area surrounding was protected to them for ever. The last of the homes was removed and

²⁷⁵ Marr, *Public Works takings of Māori land, 1860–1981*, p. 198

²⁷⁶ Marr, *Public Works takings of Māori land, 1860–1981*, p. 198

²⁷⁷ Marr, *Public Works takings of Māori land, 1860–1981*, p. 198

²⁷⁸ Ferguson, Gael, ‘Background report for the Wai 60 claim’. 1995, p. 48

²⁷⁹ Waitangi Tribunal, *Muriwhenua Land Report (Wai 45)*, Wellington: GP Publications, 1997, p. 354

Kapowairua was turned into a summer campsite for the people of New Zealand generally. There was never a full inquiry.²⁸⁰

In 1962 the Māori Welfare Act repealed the Māori Social and Economic Advancement Act 1945.²⁸¹ In their history of the Department of Māori Affairs, Graham Butterworth and Hepora Young stated:

The Act created a four-tier system of Māori Committees, Tribal Executives, District Councils, and New Zealand Māori Council. The Departmental welfare officers ceased to be part of the structure and the tribal nature of the organisation was deliberately removed.²⁸²

The Māori Council was the pinnacle of this four-tier hierarchy and for the first few years after the passage of the Māori Welfare Act it was a relatively conservative organisation. This council began to actively resist assimilation after the fight it led against the Māori Affairs Amendment Act 1967 had no impact on the government's agenda for Māori land 'development'.²⁸³

The Māori Affairs Amendment Act 1967 was introduced to implement the recommendations of the 1965 Prichard–Waetford report, which were aligned with the land title recommendations in the 1960 Hunn Report. The government had not implemented these after the Hunn Report due to opposition from the Māori Council.²⁸⁴ However, even overwhelming Māori opposition to the Prichard–Waetford report's recommendations did not stop the government legislating their introduction. The Law Commission has described the Crown as enacting 'legislation which would in time have completely dismantled the distinctive rules governing succession to Māori property'.²⁸⁵

As noted by Richard Hill, under the Māori Affairs Amendment Act, the Māori Land Court 'would declare any "Maori land" owned by four or fewer owners to be 'European land', and such property thereby lost all protection against alienation'.²⁸⁶ Part 1 of this Act made the subdivision of Māori land easier, leading to more Māori freehold land being declared general land at the behest of owners.²⁸⁷ This 'undermining of Māori land titles' may well have made more land available to Māori that could be used

²⁸⁰ Waitangi Tribunal, *Muriwhenua Land Report (Wai 45)*, Wellington: GP Publications, 1997, p. 354

²⁸¹ Butterworth and Young, *Maori Affairs*, p. 103

²⁸² Butterworth and Young, *Maori Affairs*, p. 103

²⁸³ Hill, 'Crown-Rangatiratanga relations in the 20th Century', pp. 12-13

²⁸⁴ Butterworth and Young, *Maori Affairs*, p. 105

²⁸⁵ Law Commission. *Māori custom and the values in New Zealand Law*, Study Paper 9, Wellington: Law Commission Te Aka Matua o te Ture, 2001, p. 107, para. B42.

²⁸⁶ Hill, *Maori and the State*, p. 159

²⁸⁷ 'General Land is registered under the Land Transfer Act 1952 in the Land Titles Registry administered by Land Information New Zealand', See Controller and Auditor-General, 'Māori land administration: Client service performance of the Māori Land Court Unit and the Māori Trustee', p. 6; See also Claims Wai 2750, #1.1.19, 2020, p. 45, p. 48; Wai 1384, #1.1.1(b), p. 45; Paula Berghan, 'Northland Block Research Narratives, Vol. VI, Native Land Court Blocks 1865-2005', 2006, (Wai 1040, #A39(e)), p. 231; Claims Wai 2750, #1.1.19 Wai 1384, #1.1.1(b), p 48; Claims Wai 2750, #1.1.19 Wai 1384, #1.1.1(b), p. 48

as security for housing loans.²⁸⁸ However, the provisions of the Act also resulted in ‘indelible share[s] in Māori Freehold Land’ passing into the hands of Pākehā, which was ‘inconsistent with Māori custom’.²⁸⁹ Other provisions in the Act constrained Māori land usage in a way similar to European land and prevented papakāinga housing being built on rural land around marae.²⁹⁰

The Māori Affairs Amendment Act 1967 gave the Māori Trustee the authority to sell land interests that were acquired by the Crown for the purposes of the Māori Housing Act 1935, and the Māori Trustee was open to acquiring ‘uneconomic’ interests when applications to purchase them were received from Māori farmers who may or may not have their own interest in the land (for example Rangiwaia Island, Tauranga Moana).²⁹¹ The 1967 Act also gave county councils decision-making power over the partitioning of Māori land. As well as applying zoning restrictions, counties could require those subdividing or partitioning their land to make a reserve contribution of ten per cent and a 20-metre reserve contribution if their land fronted a waterway or lake.²⁹²

The passing of the Māori Affairs Amendment Act 1967, despite Māori opposition to the alienation of Māori land that the Act facilitated, left Māori disillusioned with integration policies.²⁹³ According to Ranginui Walker (Whakatōhea):

For Māori people, the Act was seen as the ‘last land grab’ by the Pākehā. In the next decade it triggered the Māori land rights movement, a movement that was to expose the world at large to the inherent contradictions between the colonised and the coloniser in New Zealand society.²⁹⁴

The passing of the Rating Act 1967 followed previous legislation, making Māori freehold land subject to rates. While the intention of the Act was to make European land and Māori freehold land subject to the same rates liabilities,²⁹⁵ As noted by Tom Bennion, Matiu Rata ‘complained... about the onus of “production” being placed only on Māori lands, when there was no such requirement for European and Crown lands’.²⁹⁶ Rata and others also objected to section 155 of this Act, which set out the alienation of land so that rates arrears could be recovered. This section was repealed by the Māori Purposes Act

²⁸⁸ Ferguson, *Building the New Zealand Dream*, p. 267

²⁸⁹ Law Commission. *Māori custom and the values in New Zealand Law*. Study Paper 9, Wellington: Law Commission Te Aka Matua o te Ture, 2001, p. 109, para. B44

²⁹⁰ Hill, *Maori and the State*, p. 159

²⁹¹ Waitangi Tribunal, *Tauranga Moana, 1886–2006: Report on the Post-Raupatu Claims*, Vol. 1, Wellington: Legislation Direct, Wai 215, 2010, p. 96, p.101; See also Maori Affairs Amendment Act 1967 (1967 No 124), p. 894

²⁹² Marr, *Public Works takings of Māori land, 1860–1981*, p. 159; Māori Affairs Amendment Act 1967, Part III

²⁹³ Butterworth and Young, *Maori Affairs*, p. 106

²⁹⁴ Walker, *Ka Whawhai Tonu Matou: Struggle Without End*, p. 207

²⁹⁵ Rating Act 1967, s148

²⁹⁶ Bennion, *Māori and rating law. Rangahaua Whānui National Theme i*, p. 72

1970 (section 6) because of the Maori Land Courts preference for section 438 of the Māori Affairs Act.²⁹⁷

The first protests at Waitangi followed soon after in 1971, signalling the beginnings of more vocal unrest and demonstrations by Māori about what was considered the continuation of land confiscations. The emphasis within the Hunn Report on education as a pathway to progress for Māori laid the foundation for an urban generation of educated Māori to join in and strengthen land protest movements.²⁹⁸ As rural housing cannot be separated from Māori land issues, these protests were also about the right to build on Māori land, seen most profoundly in central Auckland with the 506-day occupation by Ngāti Whātua Ōrākei at Takaparawhau (Bastion Point).²⁹⁹ The success of these protests, changes in public opinion, and a more sympathetic government saw Māori interests finally being taken account of in legislation during the 1970s.³⁰⁰

However, over 252,000 acres (around 102,000 hectares) of Māori land across the country was converted to general land under the Māori Affairs Amendment Act 1967 before this legislation was repealed in 1974 when Matiu Rata was Minister of Māori Affairs in the 1972–1975 Labour Government.³⁰¹ Many of the 1967 amendments were reversed and revision of the functions of the Department of Māori Affairs included: ‘The retention of Maori land in the hands of its owners, and its use or administration by them for their benefit’.³⁰² In his introduction to a White Paper on proposed amendments to the Māori Affairs Act 1953 and the Māori Affairs Amendment Act 1967, Matiu Rata stated that ‘the express purpose of this paper is to ensure that the Māori people are accorded the fullest opportunity of genuine consultations on any legislative proposals affecting them’ while also stressing the importance of Māori land being effectively employed for public and private interest.³⁰³

Included in the legislative changes was the amendment of section 215 of the Māori Affairs Act 1953 (which had been substituted by section 92 of the Māori Affairs Amendment Act 1967).³⁰⁴ Section 215 of the Māori Affairs Act 1953 set out exemptions to restrictions on the alienation of Māori freehold land that had ten or more owners. In the Māori Affairs Amendment Act 1967 these exemptions included,

²⁹⁷ Bennion, *Māori and rating law. Rangahaua Whānui National Theme i*, pp. 72-3

²⁹⁸ Walker, *Ka Whawhai Tonu Matou: Struggle Without End*, p. 209

²⁹⁹ Harris, *Hikoī - Forty years of Māori protest*, p. 85

³⁰⁰ Marr, *Public Works takings of Māori land, 1860–1981*, p. 161

³⁰¹ Waitangi Tribunal, *Tauranga Moana, 1886–2006: Tauranga Moana, 1886–2006: Report on the Post-Raupatu Claims*, Vol. 1, p. 96

³⁰² Maori Affairs Amendment Act 1974, s 4, inserting a new s 4(2) (a) into Maori Affairs Act 1953; See also Boast, ‘Māori land and land tenure in New Zealand: 150 years of the Māori Land Court’, p. 124

³⁰³ Matiu Rata, ‘Government White Paper on proposed amendments to the Maori Affairs Act 1953 and Maori Affairs Amendment Act 1967’, 1973, p. 3

³⁰⁴ Māori Affairs Amendment Act 1967, s92

for example, vesting orders. The legislative change was made in the Māori Purposes (No. 2) Act 1973 was the insertion of an additional exemption, ‘By way of mortgage to a State Loan Department’.³⁰⁵

The Town and Country Act 1953 was repealed and replaced by the Town and Country Planning Act 1977, which allowed for more intensive building on Māori land and for rural lifestyle blocks.³⁰⁶ Māori legal expert, Pita Rikys (Ngāti Awa, Ngāti Rongomaiwahine, Te Whānau a Apanui), described the 1977 Act as the ‘first statutory recognition of Māori values in the planning legislation ... [whereby] ... local government was forced into some recognition of the underlying Māori reality’.³⁰⁷ Assistant District Officer of the Department of Māori Affairs Gisborne office, A.J. Ferris also commented that it would be rare in the eyes of Māoridom for section 3(1)(a) of the Town and Country Planning Act 1977 to take precedence over section 3(1)(g). These rare circumstances were proposed as being when the land was required for commercial or industrial purposes, or some public use under the Public Works Act:

3(1)(a) The conservation, protection, and enhancement of the physical, cultural, and social environment

3(1)(g) The relationship of the Maori people and their culture and traditions with their ancestral land.³⁰⁸

John Tamihere has been more circumspect, writing that provision s3(1)(g) of the Town and Country Planning Act had been narrowly interpreted by the Planning Tribunal.³⁰⁹ He cited one case where this narrow interpretation led to the denial of Māori housing aspirations:

Council have also won out over the re-establishment of Maori settlements arguing that it would mean the uneconomic extension of services as in *McCready v Marlborough County*. The economic rationale once again triumphed over the spiritual or Maori wairua point of view.³¹⁰

To add to the confusion, in 1985 the Planning Tribunal found in one case that section 3(1)(g) was intended to remove impediments to Māori using their land³¹¹ while in another case it found that Māori

³⁰⁵ Māori Purposes (No. 2) Act 1973, Part 1 s4

³⁰⁶ Brown, ‘Tūrangawaewae kore: Nowhere to stand’, p. 353

³⁰⁷ Pita Rikys, *The valuation and rating of Māori land*, Waiheke: Te Ngutu O Te Ika, 2001, p. 45

³⁰⁸ ‘Letter from A.J. Ferris, Assistant District Officer Department of Māori Affairs, Gisborne, to Attn. Sue Tucker, District Commissioner of Works, Ministry of Works and Development, Napier, 27 May 1982’, R22155645, Archives NZ, Auckland

³⁰⁹ Tamihere, ‘Te Take Māori: A Māori perspective of legislation and its interpretation with an emphasis on planning law’, p. 140

³¹⁰ Tamihere, ‘Te Take Māori: A Māori perspective of legislation and its interpretation with an emphasis on planning law’, p. 140

³¹¹ *Brighouse v Dannevirke County Council* (A86:81. C3435), in Stephenson, ‘Recognising rangatiratanga in resource management for Maori land: A need for a new set of arrangements?’, p. 177

land should not be exempt from the planning restrictions and constraints contained in the Act.³¹² In 1987, the High Court found that the interpretation of ‘ancestral land’ used by the Planning Council was too narrow. ‘The [High] Court found that ancestral land was any land that had been owned by ancestors, although there must be some “factor or nexus” between the culture and traditions and the land in question which affects the relationship of Maori with the land’.³¹³

The New Zealand Māori Council heavily criticised the Town and Country Planning Act 1977 as it removed the Māori Land Court’s power to partition land and control occupation rights and vested these rights in local authorities. Town planning by local authorities, the Māori Council argued, had been a barrier to the development of Māori settlements on rural land since the passing of the Town and Country Planning Act 1953. According to this council: ‘It is anomalous that the Maori Land Court’s jurisdiction is subject to the prior scrutiny of local authorities and planning tribunals with no specialist knowledge in [the complexities of Māori land titles and ownership]’. The Māori Council supported the intent of the Town and Country Planning Act 1977, but argued that in practice this legislation had not made it easier for Māori to build on their own land.³¹⁴ A similar argument was made by MP for Southern Māori, Whetū Tirikātene-Sullivan, when she introduced a Marae and Papakāinga Housing Bill into the House in 1980. This Bill proposed legislating for Māori land tenure to be a factor in planning, with consultation with Māori about district schemes made compulsory.³¹⁵ When she introduced the Bill she stated:

The simple fact of the matter is that, since the [Town and Country Planning] 1977 Act, only a handful of counties has recognised an increasing economic necessity and social desirability impelling Maoris to return to live on their rural land. Legislative insensitivity and a morass of red tape are at present prohibiting that return. The Marae and Papakainga Housing Bill makes provision whereby that persisting insensitivity to Maori needs in that regard might dramatically change, as all local authorities will be specifically required by the legislation I am seeking to introduce to apply the spirit of the 1977 Act, instead of merely paying lip service to it, and finding a variety of expedient reasons for completely ignoring the aspirations of Māori landowners.³¹⁶

³¹² *Royal Forest and Bird Protection Society v Clutha County* (1985) 0NZIPA449), in Stephenson, ‘Recognising rangatiratanga in resource management for Maori land: A need for a new set of arrangements?’, p. 177

³¹³ Stephenson, ‘Recognising rangatiratanga in resource management for Maori land: A need for a new set of arrangements?’, p. 177

³¹⁴ New Zealand Maori Council, *Kaupapa: Te Wāhanga Tuatahi*, p. 24; See also Waitangi Tribunal, *He kura whenua ka rokohanga: Report on claims about the reform of Te Ture Whenua Māori Act 1993*, Wellington: Legislation Direct, 2016, p. 64

³¹⁵ T.W.M. Tirikātene-Sullivan, ‘Marae and Papakāinga Housing Bill – Introduction’, *Parliamentary Debates*, 436, 11 December 1980, p. 5869

³¹⁶ Tirikātene-Sullivan, ‘Marae and Papakāinga Housing Bill – Introduction’, p. 5870

Historian Martin Fisher also argued that this Act's restrictions on the number of houses whānau could build on their rural land 'showed the extent to which the Crown, through both central and local government, continued to undermine Māori efforts at retaining tino rangatiratanga over the last vestiges of their once mighty estates'.³¹⁷

The Gisborne office of the Department of Māori Affairs had received 93 applications for rural housing assistance in the year ended 31 March 1982 (and more than 100 loan inquiries). According to Ferris, these mostly represented 'cases where aspiring homeowners and land users have been deterred by restrictive Town and Country Planning policies' (such as economic area and minimum area requirements), which the Gisborne Māori Affairs office described as unacceptable.³¹⁸ This was reiterated in the Tairāwhiti District Māori Council 1982 submission about forestry processing, to the East Cape United Planning Council, where the Council stated: 'The present planning policies, insofar as Maoris are concerned, are seen to be restrictive in the extreme in that they make it difficult for Maoris to erect homes on their own land in their own environment'.³¹⁹ It was assumed by the Gisborne Department of Māori Affairs office that the 20 people now in rental accommodation would have stayed on their ancestral land if they had been able to build a house there.³²⁰ The recommendation of the Tairāwhiti District Māori Council was that neither central government nor local authorities should place obstacles in the way of Māori wanting to be on their whenua.³²¹ This was also voiced by 'several Tokomaru Bay landowners' in their objection to the district scheme: 'There should be little restraint on the use of sections zoned rural under the scheme. People returning to Tokomaru Bay should be able to build on such sections notwithstanding size'.³²²

In January 1982, the Gisborne Branch of the New Zealand Institute of Surveyors had written to the Waiapu County Council expressing many of the same concerns about the Council's proposed review of its district scheme. They argued that prior to the scheme, development had taken place where it suited residents (such as in the vicinity of a marae, on their own land) and this had not been detrimental.

³¹⁷ Martin Fisher, 'Local government restrictions on the control of Māori land: The Ahuriri Canoe Reserve', *New Zealand Journal of History*, 5, 61, 2022, p. 22

³¹⁸ 'Letter from A.J. Ferris, Assistant District Officer Department of Māori Affairs, Gisborne, to Attn. Sue Tucker, District Commissioner of Works, Ministry of Works and Development, Napier, 27 May 1982', R22155645, Archives NZ, Auckland

³¹⁹ 'Tairāwhiti District Māori Council, Submissions in respect of forestry processing in the East Cape United Council area, East Cape United Planning Council. 24 March 1982', R22155645, Archives NZ, Auckland

³²⁰ 'Letter from A.J. Ferris, Assistant District Officer Department of Māori Affairs, Gisborne, to Attn. Sue Tucker, District Commissioner of Works, Ministry of Works and Development, Napier, 27 May 1982', R22155645, Archives NZ, Auckland

³²¹ 'Tairāwhiti District Māori Council, Submissions in respect of forestry processing in the East Cape United Council area, East Cape United Planning Council. 24 March 1982', R22155645, Archives NZ, Auckland

³²² 'M. Ransley, Form C. The Town and Country Planning Act. Submission on or object to district scheme (and/or changes), 29 February 1982', R22155645, Archives NZ, Auckland

Rather, it was a way to keep and attract people back to the district.³²³ They quoted Judge Russell, that ‘Unfortunately under our present Town & Country Planning legislation local authorities are policed by the Ministry of Works and do not always feel free to give the decisions that the local authority thinks are reasonable and practical’.³²⁴ This meant that principles being applied to the outskirts of Auckland were being imposed on Waiapu, to the detriment of the residents and the falling population of the county.³²⁵

George Asher and David Naulls examined the impacts of the Town and Country Planning Act in a 1987 Planning Council paper on Māori land. They argued that this legislation had led to the easing of ‘town planning restrictions’, and enabled planning permission to be given to some Māori who wanted to live near their marae. In particular, Asher and Naulls stated that Taupō and Tauranga’s local authorities had created special zones for marae and papakāinga to facilitate the construction of houses on Māori land near marae. The Waitangi Tribunal also endorsed the actions of some regional authorities, for example,

...the [Mangonui County Council] has been responsive to Maori concerns in the past. It introduced papakainga housing to its district scheme when the concept was still new, adopted Maori as an official language and has engaged a Maori adviser for many years.³²⁶

However, Asher and Naulls also acknowledged that zoning restrictions which constrained this type of construction still remained in many councils’ district schemes and these restrictions needed to be removed ‘for marae residential housing to become a general reality’.³²⁷ The Town and Country Planning Act 1977, however, remained in effect until it was replaced by the Resource Management Act 1991.³²⁸

The Local Government Amendment Act 1981 introduced new provisions whereby recreational reserves and esplanade reserves could also be taken for ‘developments’ of three or more new houses or the addition of two more houses on a site. This encompassed papakāinga development, further alienating Māori land when it was used for housing developments. This was particularly egregious for developments on Māori land that adjoined the coast, where owners lost a 20 metre wide esplanade to

³²³ ‘New Zealand Institute of Surveyors, Gisborne Branch. Letter to County Clerk, Waiapu County Council. Re: Proposed review No.1 of the Waiapu District Scheme. 29 January 1982’, R22155645 Archives NZ, Auckland

³²⁴ Ruatoria Minute Book Volume 18-Folio 31-34, cited in: ‘New Zealand Institute of Surveyors, Gisborne Branch. Letter to County Clerk, Waiapu County Council. Re: Proposed review No.1 of the Waiapu District Scheme. 29 January 1982’, R22155645 Archives NZ, Auckland

³²⁵ ‘New Zealand Institute of Surveyors, Gisborne Branch. Letter to County Clerk, Waiapu County Council. Re: Proposed review No.1 of the Waiapu District Scheme. 29 January 1982’, R22155645 Archives NZ, Auckland

³²⁶ Waitangi Tribunal, *Report of the Waitangi Tribunal on the Mangonui Sewerage Claim (Wai-17)*, Wellington: Waitangi Tribunal, 1988, p. 35

³²⁷ Asher and Naulls, *Maori land: Planning Paper No. 29*, p. 84; See also Evelyn Stokes, ‘Tauranga Moana: a study of the impact of urban growth on rural Maori communities’, Centre for Māori Studies and Research, University of Waikato, 1980, p. 29

³²⁸ Resource Management Act 1991 (1991 No 69)

their local authority.³²⁹ Māori discontent with the lack of consideration of Māori concerns within environmental decision-making and the restrictions imposed by planning provisions was increasingly expressed at hui, conferences and in written papers into the 1980s.³³⁰ Despite concessions in a 1983 publication from the Town and Country Planning Division of the Ministry of Works, that rural Māori community needs should be married with other town planning considerations, Māori dissatisfaction persisted. As set out in their 1983 discussion paper, *Kaupapa: Te Wāhanga Tuatahi*, the view of the New Zealand Māori Council was that the Town and Country Planning Act 1977 had good intentions, but it had not enabled Māori to fulfil their ambitions to build homes on their land. They advocated for the return of decision-making power about partitioning and building to the Māori Land Court, with local authorities able to be heard in that forum.³³¹

The case studies included below showcase some of the difficulties Māori had establishing their right to be housed on their Māori lands.

Case study: Te Kūhā–Waimako

The example of Te Kūhā–Waimako demonstrates how Māori who were willing and able to become homeowners were buffeted between regulatory authorities with, in their case, the Gisborne Assistant District Officer refusing to allow for an agreed upon plan developed with the community to proceed.³³² However good the intention in the Town and Country Planning Act 1953, it had a dampening effect on Māori housing development, even in areas where village settlements had long been established. Throughout the 1960s, the difficulties of partitioning land, or in certain cases subdividing land, for housing added to the problems that rural dwellers had in becoming eligible for housing assistance.³³³

In 1962, Te Kūhā–Waimako received a visit from Department of Māori Affairs head office personnel who reported that the housing conditions in the community remained poor. People’s aspirations to build homes were, however, on hold until a suitable building site was found. Sir Turi Carroll (Ngāti Kahungunu and the New Zealand Māori Council’s president from 1963 to 1967), and the Assistant District Officer’s visits in 1963 and 1964 led to two building site options being confirmed in 1965. The Te Kūhā–Waimako site was designated as ‘No. 1 Scheme’, and ‘No. 2 Scheme’ was a site across the

³²⁹ Stephenson, ‘Recognising rangatiratanga in resource management for Maori land: A need for a new set of arrangements?’, p. 177

³³⁰ Stephenson, ‘Recognising rangatiratanga in resource management for Maori land: A need for a new set of arrangements?’, p. 177

³³¹ New Zealand Māori Council, *Kaupapa: Te wāhanga tuatahi: A discussion paper on Māori affairs legislation*, Wellington: New Zealand Māori Council, 1983, p. 24.

³³² Murton, ‘The Crown and the Peoples of Te Urewera, 1860–2000: The Economic and Social Experience of a People’, pp. 1993–1996

³³³ Murton, ‘The Crown and the Peoples of Te Urewera, 1860–2000: The Economic and Social Experience of a People’, p. 1996, p. 1999

river from Tuai (which mostly consisted of workers' cottages built for the nearby hydroelectric scheme in the late 1920s). The Department of Māori Affairs decided that the No. 1 Scheme was prohibitively expensive due to the cost of building a road to the site relative to what families could afford to pay for sections. This department endorsed the No. 2 scheme and the Wairoa County Council opted to have the site zoned as residential in their Town and Country Planning scheme under the Wairoa County District Scheme. However, their plan was thwarted by Gisborne's Assistant District Officer, who stated in a letter that he felt the local people 'lacked sincerity in their wish to obtain houses' and that their only option was to relocate if they wanted a house as there were no freehold sections in the Tuai-Te Kūhā-Waimako area. While the Māori Land Court might partition out such sites, they were bound by Wairoa County Council's town and country planning requirements, and the Council had zoned Te Kūhā a-Waimako as rural. This meant the land could not be subdivided into small sections for building. While the Wairoa County Council was willing to rezone the No. 2 Scheme site, this too was rejected by Gisborne's Assistant District Officer.³³⁴ This brief case study demonstrated how Māori aspirations for housing could be thwarted by district personnel even when there was local council agreement to alter their district plan to enable building to occur.

Case study: Tauranga Moana

The Waitangi Tribunal's *Tauranga Moana 1886–2006: Report on Post-Raupatu Claims* (2010) made findings on the impact of the Department of Māori Affairs' efforts to implement land-title reforms and 'integration' policy on Tauranga Māori from 1953 to 1973. The establishment of a deep-water port at Mount Maunganui in 1950 brought rapid urban growth that threatened Māori landholdings on the edges of the town. The pressure was on for the acquisition of Māori land as Tauranga experienced the fastest post-war urban growth, driven largely by the government.³³⁵ Even if Māori retained their land holding, rezoning of adjacent land as residential to make way for suburban development inevitably led to rising land prices and therefore rising rates as peri-urban land was absorbed into urban boroughs. Raupatu (land confiscation discussed earlier in this report) had left no rates-exempt customary land in Tauranga Moana. Rating charges then undermined Māori ownership (for example on the Maungatapu Peninsula and around Welcome Bay in Tauranga) and at the same time development funding was not available in the 1960s and 1970s through banks or the Department of Māori Affairs because of the multiple

³³⁴ Murton, 'The Crown and the Peoples of Te Urewera, 1860–2000: The Economic and Social Experience of a People', p. 1996, p. 1999

³³⁵ Waitangi Tribunal, *Tauranga Moana, 1886–2006: Report on Post-Raupatu Claims*, Vol. 1, pp. 248–249

ownership of the land.³³⁶ Department of Māori Affairs loans for land development did not become widely available until the late 1970s and early 1980s.³³⁷

Unlike Auckland, where integration was conceived of as pepper-potting Māori across European subdivisions, in Tauranga Moana it meant selling Māori sections to Pākehā.³³⁸ The Waitangi Tribunal found in its *Tauranga Moana Report*:

State policies of rehousing Māori turned some Māori land into residential subdivisions, and there was an attempt to ‘pepper-pot’ Māori through them ... Title reform measures meant Māori land could be compulsorily converted into more economic units, to bring it into production, without the consent or sometimes even the knowledge of the owners ... In the 1950s, a comparatively low 202.08 hectares (499 acres) of Māori land were alienated. The 1960s, however, saw the pace pick up again with the alienation of almost 2516 hectares (6216 acres). Far from ameliorating the effects of individualisation, the compulsory measures introduced in legislation, coupled with public works acquisitions, receivership leases resulting from rates arrears, and the continuation of private purchase, meant Tauranga Māori continued to find it difficult to retain, let alone adequately manage and develop, their lands.³³⁹

In 1958, *Te Ao Hou* reported on a Privy Council Appeal, which highlighted some of the complications that could arise in this ‘simplified’ system that thwarted Māori housing aspirations.³⁴⁰ Whareroa land bordering the foreshore of the Tauranga harbour was vested in the Waiariki District Māori Land Board in 1948. The Māori landowners were planning to subdivide and sell 600 residential and commercial sections (as well as allowing for a marae reserve and some residential sections for landowners) and use the proceeds to develop housing on Matapihi. They saw this as a solution to their housing needs and to prevent them being dispersed to live among Pākehā.³⁴¹

The Land Board’s rights were then transferred to the Māori Trustee with the passing of the Māori Land Amendment Act and the Māori Trustee Act 1953.³⁴² However, the subdivision plan clashed with the government’s plans for a deep-water port. In 1952, the Crown compulsorily acquired the 91 acres (along with five acres from Te Awa-o-Tukorako).³⁴³ The Minister of Māori Affairs did not approve the

³³⁶ Waitangi Tribunal, *Tauranga Moana, 1886–2006: Report on Post-Raupatu Claims*, p. 100, p. 194, p. 325

³³⁷ Marinus La Rooij, “‘That most difficult and thorny question’: The rating of Maori Land in Tauranga County”, (Wai 215, #P14), pp. 120-121; Waitangi Tribunal, *Tauranga Moana, 1886–2006: Report on Post-Raupatu Claims*, p. 211

³³⁸ Waitangi Tribunal, *Tauranga Moana, 1886–2006: Report on Post-Raupatu Claims*, p. 91

³³⁹ Waitangi Tribunal, *Tauranga Moana, 1886–2006: Report on Post-Raupatu Claims*, p. 88

³⁴⁰ ‘Why were the Māori Land Boards abolished?’, *Te Ao Hou*, Spring 1952, pp. 46-50

³⁴¹ Waitangi Tribunal, *Tauranga Moana, 1886–2006: Report on Post-Raupatu Claims*, p. 251

³⁴² ‘Maori land case’, *Press*, 9 July 1958, p. 5

³⁴³ Waitangi Tribunal, *Tauranga Moana, 1886–2006: Report on Post-Raupatu Claims*, p. 251

subdivision until November 1951, whereas ‘notice by the Minister of Works to take the land under the Public Works Act was gazetted in September 1951’.³⁴⁴ Litigation followed about whether the Court of Appeal had paid sufficient regard to the subdivision plans, and about the compensation the landowners received (which was less than the promised same price as they would have gained from selling the subdivision).³⁴⁵ The subdivision was expected to net £60,000, but the Privy Council decision upheld the Court of Appeal’s decision that the land be valued as one block. In 1961, the landowners were awarded £45,582 (including five per cent interest for 6.5 years).³⁴⁶

The *Tauranga Moana* report also found that the Māori Trustee ‘(as the law entitled him to do) often made decisions without recourse to the owners ... it seems this sometimes even resulted in sales and leases being embarked on without the owners’ knowledge or consent’.³⁴⁷ In the case study of Ranginui 6B in the report, the Trustee had failed to inform landowners of a change in circumstances regarding the lease on the land in 1974.³⁴⁸

The Tauranga County Council opposed a housing subdivision on Māori land at Matapihi on the grounds of separatism. As the chair of the Ngāti Tūkairangi trust, Mahaki Ellis, explained:

Under [Turi Te Kani’s] leadership, the Ngāi Tūkairangi tribal Committee proposed a consolidation scheme at Matapihi in the late 1950s. The idea was to consolidate a group of titles into one block which would allow us to farm an area together with a subdivision to provide for housing needs. This scheme was opposed by the Tauranga County Council. Their approach was quite ignorant of Māori needs and aspirations. They thought that if Ngāi Tūkairangi lived on our own lands, that would be akin to a system of segregation. Turi Te Kani strongly opposed that suggestion ... he told the Tauranga County Council that Ngāi Tūkairangi did not want urban development of Matapihi, what we wanted was housing for ourselves and that we opposed the sale of their lands. The scheme did not succeed due to opposition from the County Council.³⁴⁹

During the 1970s, two section 437 trusts were formed at Matapihi and horticultural land development followed after a Department of Māori Affairs loan was granted. Housing, however, was not mentioned again.³⁵⁰ The inclusion of previously Māori rural land within a growing city’s borough boundaries, as occurred in Tauranga, drew the attention of councillors to the state of Māori housing. The inability of Māori to subdivide, build new houses, or afford the maintenance and repair of existing homes led

³⁴⁴ ‘Maori land case’, *Press*, 9 July 1958, p. 5

³⁴⁵ Waitangi Tribunal, *Tauranga Moana 1886–2006: Report on Post-Raupatu Claims*, p. 253

³⁴⁶ Waitangi Tribunal, *Tauranga Moana 1886–2006: Report on Post-Raupatu Claims*, pp. 254–255

³⁴⁷ Waitangi Tribunal, *Tauranga Moana 1886–2006: Report on Post-Raupatu Claims*, p. 113

³⁴⁸ Waitangi Tribunal, *Tauranga Moana 1886–2006: Report on Post-Raupatu Claims*, p. 113

³⁴⁹ Mahaki Ellis, brief of evidence, undated (doc Q9), pp. 5–6; See also Waitangi Tribunal, *Tauranga Moana, 1886–2006: Report on Post-Raupatu Claims*, p. 210

³⁵⁰ Waitangi Tribunal, *Tauranga Moana, 1886–2006: Report on Post-Raupatu Claims*, p. 210

councillors to talk of condemning houses and shifting Māori off their land and into state housing elsewhere.³⁵¹ If not the state of the housing, then it could be the views from the land that made the local councils hesitate at the thought of allowing Māori to subdivide and build new housing. Tauranga Borough described Maungatapu as having the potential to be

a high class residential area owing to the excellent views obtainable from the high elevated sections overlooking Tauranga harbour and the deep water anchorage available for private boats and launches.³⁵²

By vesting their land in the Waiariki District Māori Land Board for subdivision, the shareholders in the Whareroa land bordering the foreshore of the Tauranga harbour were following Crown-designed processes. The subdivision that would fund their aspirations for a papakāinga on Matapihi was, however, thwarted by the Crown's refusal to compensate them fully when their land was compulsorily acquired. The Tauranga County Council, in turn, opposed their housing aspiration of living together on Matapihi. The actions of both the Crown and the Council had long-term consequences for the shareholders' wellbeing that were avoidable.

4.5 Conclusion

The years 1950 to 1984 saw the proportion of Māori living in urban centres grow from under one third to just under 80 per cent. For many, the lack of amenities and the poor quality of housing in rural localities prompted them to seek out opportunities in urban centres. For others, their rural lifestyles changed as their nearest town grew to a city that then encroached on the borders of their kāinga. By the end of this time period a counter-migration of Māori from urban cities, back to rural locations had begun as cities became more expensive and their attractiveness faded. For some, responsibilities back home and the pull of their kāinga motivated their decisions to leave the city. Even so, the proportion of Māori living in cities remained high due to the high marriage rates and the high birth rates of this time period.

Surveys continued to highlight the poor state of Māori rural housing, with it not being unusual to find that nearly a third of the Māori adults and over a third of Māori children who were living in rural locations were occupying substandard housing. This substandard housing was, in turn, linked with people's poor health and the spread of infectious disease. The 1970 Commission of Inquiry into Housing acknowledged the housing issues people were confronted by, but did not make any recommendations about housing on Māori land. Instead, it left this issue to the Department of Māori Affairs to deal with, saying that Māori land remained a mystery to Pākehā. The Department of Māori Affairs, in turn, worked

³⁵¹ Waitangi Tribunal, *Tauranga Moana, 1886–2006: Report on Post-Raupatu Claims*, p. 360

³⁵² Waitangi Tribunal, *Tauranga Moana, 1886–2006: Report on Post-Raupatu Claims*, p. 361

hard to persuade those living in what it assessed to be poor quality housing to take out Rural Housing Improvement Scheme loans to renovate and repair their homes. However, many Māori were reluctant to do so and housing on Māori land was viewed as a difficulty when it came to approving loans.

While the Crown continued to fund mortgages for rural Māori housing, the requirements of these mortgages meant that Māori land had to be partitioned or subdivided so that it could be used as security. As the urban Māori population grew, however, the focus of Crown concern and funding for Māori housing shifted to support urban Māori to become homeowners. The Department of Māori Affairs drew up housing plans, encouraged people to save for a house deposit, and formed its own construction crews to expediate house building. When demand for housing grew, the Department engaged other building contractors. House building remained difficult in rural areas, particularly remote rural areas, due to an undersupply of tradespeople, prompting the Department to look into other avenues to secure housing, including relocatable housing and purchasing housing that could be relocated from where it was no longer required.

In the 1950s and 1960s successive governments strengthened their agenda of integration for Māori, with the multiple ownership of Māori land viewed as a hinderance to this. The 1961 Hunn Report outlined the role of housing in this, with a recommendation that around 1,600 houses needed to be built for Māori each year for 10 years. While this target was achieved, Hunn had underestimated the growth of the Māori population and had not factored in the need for substandard housing to be replaced. A recalculation by Krivan indicated that perhaps 4,200 houses were in fact needing to be built each year for the ten years from 1961 to 1971. The Prichard–Waetford inquiry into Māori land reinforced many of the same messages of the Hunn Report and in spite of Māori opposition this inquiry informed the Māori Affairs Amendment Act 1967. In the short period until it was repealed in 1974, this Act led to the further alienation of Māori land. This period also saw an increase in Māori activism and land protests.

By 1984 and Hui Taumata, many Māori leaders and activists were calling for the recognition of Māori sovereignty. There was discontent with the legislated powers of local and regional councils, whereby district schemes restricted the number of houses whānau could build on their land and the amount of reserve land they needed to contribute in order to get permission to build. The lack of consideration of Māori concerns in planning decisions prompted calls for the return of this decision-making authority to the Māori Land Court. Māori were also asserting their right to home ownership.

Chapter Five: Lending schemes and relevant legislation, 1985–2007

‘Raruraru Māori, Rongoā Māori: Māori problems demand Māori solutions’¹

5.1 Introduction

This chapter focuses on the years between 1985 and 2007, which mark a turning point in housing on Māori land with new provisions for the realisation of papakāinga housing. The previous chapter described the build-up of Māori activism in response to Māori frustrations with the ongoing confiscation of Māori land through legislative mechanisms.² At the 1984 Hui Taumata, Māori called for the amendment of restrictive statutes, ‘to reflect Māori economic and cultural aspirations’.³ In these ways, Māori made it explicit to the Crown that Māori problems demanded Māori solutions. In 1986, the Department of Māori Affairs acknowledged this ‘strong drive for *self-management*’ within Maoridom and the need for the Crown to progressively move towards it.⁴ Māori home ownership rates remained highest in rural areas at the start of the 1980s despite the reluctance of lenders to offer mortgages for housing on Māori land.⁵ However, these houses were often 30 to 40 years old or older and were described as overcrowded and in a state of disrepair. During the 1980s, government housing assistance continued to be delivered by way of subsidised rents (25 per cent of tenants’ net income) and subsidised home loans for low-income purchasers. This was to change with Māori increasingly bearing an unequal burden of the negative effects of supply-side macroeconomics and neoliberalism, including increased housing and health disparities.

During this period, there was an increase in counter migration, with many Māori leaving towns and cities and making the journey back to their home places as unemployment rose and the cost of urban living outpaced what they could earn. Researcher Edward Douglas (Ngāi Tahu, Kāti Māmoe) has also highlighted the pull of their wā kāinga as a motivation for counter migration, including ageing parents

¹ Edward M.K. Douglas, *Fading expectations: The crisis in Māori housing: a report for the Board of Maori Affairs*, Wellington: Department of Maori Affairs, 1986, p. 63

² Matthew Wynyard, “‘Not one more bloody acre’: Land restitution and the Treaty of Waitangi settlement process in Aotearoa New Zealand”, *Land*, 8, 162, 2019, p. 7

³ ‘A blueprint for the future of the Maori people’, *Tū Tangata*, 1 December 1984, 20, p. 4

⁴ AJHR 1986, E-13, p. 5

⁵ Murphy and Ulrich Cloher, ‘Economic restructuring, housing policy and Māori housing in Northland, New Zealand’, p. 326

needing care.⁶ Coinciding with this counter migration were increased efforts by the Crown to resource Māori to build housing on Māori land. Papakāinga builds required changes in legislation and lending regimes, as well as infrastructure support. Papakāinga housing was one of several initiatives introduced during this period to support Māori being well housed on their own land.

During the time period of this chapter and the next there were restructurings and name changes for government housing agencies. These are outlined in Table 5.1 to support the navigation of these changes.

Table 5.1: State housing agencies
(updated from Murphy, ‘Reasserting the “social” in social rented housing: Politics, housing policy and housing reforms in New Zealand’, p. 98, Table 2)

Years	Agency	Function
1974–1992	Housing Corporation	Rental properties Mortgage finance Community housing Policy advice
1992–2000	Housing New Zealand Housing Corporation Community Housing Ministry of Housing Ministry of Social Policy (from October 1998)	Rental properties Mortgage finance Community housing services for people with disabilities Policy advice Policy advice
2000–2018	Housing New Zealand Corporation (established July 2001)	Rental properties Mortgage finance Community housing Policy Advice
2018–	Te Tūāpapa Kura Kāinga – Ministry of Housing and Urban Development (HUD) Kāinga Ora – Home and Communities. ⁷	Assumed housing regulatory, policy and funding functions of the New Zealand Treasury, the Ministry of Social Development, and the Ministry of Business, Innovation and Employment Housing New Zealand and the Kiwibuild Unit merged

⁶ Douglas, *Fading expectations: The crisis in Māori housing: a report for the Board of Maori Affairs*, p. 39

⁷ Housing New Zealand, ‘Briefing for the incoming Minister of Housing’, 2019, p. 9

This chapter explores how inadequate housing adversely affected Māori health during this period, alongside the broader political context for Crown initiatives to facilitate house building on Māori land. The chapter also examines the impacts of these initiatives on Māori being housed well and having a sense of home.

5.2 How did the Crown monitor and inform itself of Māori housing needs and preferences with respect to Māori land?

The Crown continued to monitor and inform itself about Māori housing needs and preferences through reports, reviews, and housing surveys. In particular, these reports focused on how the Department of Māori Affairs continued to provide support for building on Māori land. Housing surveys and government commissions of inquiry (including the Royal Commission on Social Policy) also informed the Crown about inadequate housing conditions on Māori land. This section outlines the various means by which the Crown monitored and informed itself about Māori housing needs between 1985 and 2007.

A 1985 amendment to the Māori Housing Act empowered the Board of Māori Affairs to lend to non-Māori persons, Māori trusts, and Māori corporate bodies.⁸ Then, in 1986, a Ministerial Review Committee discussed how the Department of Māori Affairs supported whānau into home ownership through lending policies, specialist housing provision (such as kaumātua housing), and low-cost housing development. In the 1984–1985 financial year, for example, the Department of Māori Affairs approved 522 housing loans – 89 (16 per cent) for sole parents and 433 (84 per cent) for whānau with two parents (including 35 where neither parent was Māori). These loans impacted 955 adults, 727 (76 per cent) of whom were Māori with the remainder either Pacific or other ethnicities.⁹ The Department's success was seen as resting on funding, staff capability, and the delivery of services to Māori by the Housing Corporation. The Ministerial Review Committee recommended the development of housing policy specifically for Māori home ownership that would cover uniquely Māori housing programmes (including papakāinga housing, whare āwhina, kaumātua flats, and Matua Whāngai housing). They also recommended that the proposed Māori Development Corporation could act as an agent for the Housing Corporation for funding this housing programme as well as developing mutual funding responsibility with the Housing Corporation and Social Welfare for Māori clients falling outside existing funding criteria.¹⁰

⁸ Douglas, *Fading expectations: The crisis in Māori housing: a report for the Board of Maori Affairs*, p. 42

⁹ Douglas, *Fading expectations: The crisis in Māori housing: a report for the Board of Maori Affairs*, pp. 32-33

¹⁰ Douglas, *Fading expectations: The crisis in Māori housing: a report for the Board of Maori Affairs*, p. 27

The creation of a Māori Development Bank had been mooted at the 1984 Hui Taumata, and in their follow-up investigation of this proposal the Māori Development Commission reported in 1986 that it was ‘in favour of a development bank, incorporating the commercial activities of the Māori Trustee and Māori land development funds, together with additional support from the Crown’.¹¹ After further consideration the Ministers of Finance and Māori Affairs announced the launch of the new Māori Development Corporation (MDC) alongside the Poutama Trust in July 1987.¹² The MDC’s objectives were related to Māori commercial projects while the Poutama Trust was to provide assistance to commercial projects, including those financed by institutions other than the MDC.¹³ As Māori housing was excluded from the MDC’s objectives, the Ministerial Review Committee’s recommendation (see above) was not implemented.¹⁴

In 1986 the Board of Māori Affairs commissioned Ted Douglas to ‘investigate the housing needs of Māori families and the need for additional resources to meet these needs’.¹⁵ His 1986 report, *Fading Expectations: the crisis in Māori housing*, canvassed and summarised reports on Māori housing. He was not as enthusiastic as the Department of Māori Affairs about the role played by the Housing Corporation, and described the 1982 Māori Housing Review (also known as the Cornwall Report) as a potential setback for the Department’s housing activity. As described in Chapter Four, this review’s recommendation was that the Department of Māori Affairs’ housing function be advisory only, with the Housing Corporation taking over its lending responsibilities.¹⁶ According to Gael Ferguson,

The report’s conclusion was that the Department played only a small part in encouraging home-ownership amongst Māori, and that the alleged ‘special needs’ were spurious or at least exaggerated.¹⁷

This was at a time when the Housing Corporation was not monitoring its delivery of services to Māori.¹⁸ Douglas described this lack of monitoring and the National Housing Commission’s lack of research on Māori housing as a ‘conspiracy of silence’.¹⁹

¹¹ Waitangi Tribunal, *Māori Development Corporation report (Wai-350)*, Wellington: GP Publications, 1993, p. 7

¹² Waitangi Tribunal, *Māori Development Corporation report (Wai-350)*, p. 15

¹³ Waitangi Tribunal, *Māori Development Corporation report (Wai-350)*, pp. 17-18

¹⁴ Waitangi Tribunal, *Māori Development Corporation report (Wai-350)*, pp. 10

¹⁵ Douglas, *Fading expectations: The crisis in Māori housing: a report for the Board of Maori Affairs*, p. 4

¹⁶ Cornwall and Fouhy, *Maori housing review: A review of Maori housing activities - changes in housing policies which could better meet Maori housing needs*, p. 11; Douglas, *Fading expectations: The crisis in Māori housing: a report for the Board of Maori Affairs*, p. 6; Ferguson, *Building the New Zealand dream*, p. 267

¹⁷ Ferguson, *Building the New Zealand dream*, p. 267

¹⁸ Douglas, *Fading expectations: The crisis in Māori housing: a report for the Board of Maori Affairs*, p. 6

¹⁹ Douglas, *Fading expectations: The crisis in Māori housing: a report for the Board of Maori Affairs*, p. 21; Whatarangi Winiata, ‘Māori home ownership’ in Whatarangi Winiata and Daphne Luke (eds), *The survival of the*

The National Housing Commission was established in 1972, following the 1971 Commission of Inquiry into Housing (described in more detail in the previous chapter). It was an independent statutory body charged with investigating, commenting on and advising on ‘all matters relating to the provision of dwellings in New Zealand’.²⁰ The National Housing Commission published five-yearly reports, and its first 1978 report had no specific section on Māori housing while the second only briefly mentioned the issue of Māori land.²¹ In addition, many of the research reports commissioned by this Commission insisted that Māori were just another minority group and could be merged with the working class of the country.²² The absence of any recognition of Māori as tangata whenua, or of any historical determinants of Māori housing and economic disparities led Commission researchers to the rather inevitable, and false, conclusion that Māori had no distinct culturally-informed worldview that might inform housing solutions.²³ It is probable that such research was both informed by and reinforced the Housing Corporation’s lack of commitment to collecting ethnicity data from its clientele prior to 23 July 1987.²⁴

In 1987 researcher Murray Bathgate (of the Housing Corporation’s policy and research division) reported on Māori housing within the context of the Housing Corporation and how it was working to meet Māori housing needs. At this time, the Housing Corporation was the largest mortgage lender in the country and also the largest landlord (although private rentals were the largest landlord sector) and property developer.²⁵ It did not, however, collect ethnicity data from the people it served, so Bathgate’s report (largely written in response to Douglas’s report) was not data rich. Bathgate stated that while the Corporation assisted people of all ethnicities, it did not allocate resources on the basis of ethnicity. Instead, it focused on ‘modest income families irrespective of their ethnic origin’.²⁶ This approach falsely assumed that the collection of ethnicity data would mean that the Corporation was not meeting its obligations to help all. As noted by Bathgate:

Māori people, Wellington: Huia Publishers, 2021, pp. 295-6; Judith A. Davey, *National Housing Commission Research Programme, 1976-1982. Digest & review update. Research Paper 82/8. National Housing Commission*, 1982

²⁰ National Housing Commission, *Housing New Zealand - Provision and policy at the crossroads: NHC five-yearly report*, Wellington: National Housing Commission, 1988, p. iv

²¹ Davey and Kearns, ‘Special needs versus the “level playing-field”: Recent developments in housing policy for Indigenous people in New Zealand’, p. 76

²² See for example, Judith A. Davey and Rosemary Barrington, ‘Special housing needs in New Zealand: An overview of the housing situation of minority groups. Research paper 80/2’, Wellington: National Housing Commission, 1980, p. 48

²³ Winiata, ‘Māori home ownership’, p. 296

²⁴ Murray Bathgate, *Housing needs of the Māori community*, Wellington: Housing Corporation, 1988, p. 12

²⁵ Murray Bathgate, *The housing circumstances of the Maori people and the work of the Housing Corporation in meeting their needs*, Wellington: Housing Corporation of New Zealand, 1987, p. 1

²⁶ Bathgate, *The housing circumstances of the Maori people and the work of the Housing Corporation in meeting their needs*, p. 1

The Housing Corporation does not collect statistics on a systematic basis concerning the ethnic origin of its clients because ethnicity is not used as a criterion when allocating state rental units and loans for home ownership.²⁷

However, as Douglas pointed out, the analysis by the Housing Corporation of their 1976 interviews with 2,000 respondents (including 148 Māori or Pacific participants) about housing preferences showed there were ‘clear differences in current tenure by ethnic group’.²⁸ These disparities needed to be monitored so there could be a focus within the Corporation on their reduction.²⁹

When Bathgate did report on ethnicity data, his findings backed up the assertions of the Department of Māori Affairs about their success. In 1987 he reported on information collected by the Housing Corporation from the Department of Statistics household income expenditure surveys in 1983–1984, which included 238 Māori respondents, and 1984–1985, which included 198 Māori respondents (see Table 5.2). Extrapolating from this data enabled Bathgate to assert that 5.4 to 5.6 per cent of all Housing Corporation first mortgages were to Māori households, and nearly half of the Māori households that had a first mortgage had obtained this from the Housing Corporation. Most Māori households that had a first mortgage had obtained it from either the Housing Corporation or the Department of Māori Affairs. Compared to 61 per cent of Pākehā households that had a first mortgage, only fourteen per cent of Māori households obtained mortgage finance from sources other than the Housing Corporation and the Department of Māori Affairs.³⁰ The Department of Māori Affairs approved loans for kaumātua housing, improvements, or extensions to existing housing for whānau in the Matua Whāngai programme³¹, and loans for the development of papakāinga housing on Māori land. He noted: ‘The socio-cultural objectives of these particular programmes include the strengthening of the whanau, and the development of closer interaction within tribal communities’.³²

²⁷ Bathgate, *The housing circumstances of the Maori people and the work of the Housing Corporation in meeting their needs*, p. 15

²⁸ Douglas, *Fading expectations: The crisis in Māori housing: a report for the Board of Maori Affairs*, p. 64

²⁹ Douglas, *Fading expectations: The crisis in Māori housing: a report for the Board of Maori Affairs*, p. 6

³⁰ Bathgate, *The housing circumstances of the Maori people and the work of the Housing Corporation in meeting their needs*, p. 18

³¹ The Matua Whāngai programme had begun in 1983 as a joint venture between the Departments of Māori Affairs, Social Welfare and Justice and Māori communities. It aimed to link Māori children ‘at risk’ with whānau from their Iwi who would care for and support them. Waitangi Tribunal, *Te Whānau o Waipereira Report (Wai 414)*, Wellington: G.P. Publications, 1998, pp. 47–48

³² Bathgate, *The housing circumstances of the Maori people and the work of the Housing Corporation in meeting their needs*, p. 13

Table 5.2: Māori first mortgage information, 1983–84 and 1984–5 household expenditure surveys
Bathgate, ‘The housing circumstances of the Maori people and the work of the Housing Corporation in meeting their needs’, p. 18

Query	1983–84	1984–85
Māori households as a proportion of all Housing Corporation first mortgages	5.4 per cent	5.6 per cent
Proportion of Māori households whose first mortgage was from Housing Corporation	48 per cent	44 per cent
Proportion of European households whose first mortgage was from Housing Corporation	39 per cent	39 per cent
Proportion of Māori households whose mortgage was from Māori Affairs	-	>40 per cent
Proportion of Māori households whose first mortgage was from Housing Corporation or Māori Affairs	-	86 per cent

Bathgate posited that the Housing Corporation’s lack of cultural understanding may have been a reason why Māori preferred to obtain housing support from the Department of Māori Affairs.³³ He also stated that the Housing Corporation had explicitly left building on Māori land to the Department of Māori Affairs, as options open to the Housing Corporation at that time had potentially been drivers of land alienation. According to Bathgate:

The main constraint on the programme, and also on the use of the corporation’s lending programmes for home ownership, has been the multiple nature of title to land. Planning legislation has allowed only one house to be erected on a separate title. This has meant that multiple-owned land under one title needed to be partitioned into separate shares if more than one owner wanted to build. Subdivision of this kind has been costly and very time consuming, it has been a major cause of the alienation of Maori land, and it has been destructive in terms of whanau, hapu and iwi development. The involved and expensive nature of the partitioning process and concern about the alienation of land has meant that many families have stayed in substandard houses rather than build new ones.³⁴

In his report, Douglas confirmed the desire of Māori for homeownership and highlighted the widening disparity between Māori homeownership rates (45 per cent) and non-Māori rates (73 per cent), based on the 1981 Census.³⁵ He cited a 1983 back-of-the-envelope calculation by Whatarangi Winiata that

³³ Bathgate, *The housing circumstances of the Maori people and the work of the Housing Corporation in meeting their needs*, p. 14

³⁴ Bathgate, *The housing circumstances of the Maori people and the work of the Housing Corporation in meeting their needs*, p. 25

³⁵ Douglas, *Fading expectations: The crisis in Māori housing: a report for the Board of Maori Affairs*, p. 4

this disparity could be eliminated by converting the tenancies of 16,511 houses that Māori were renting into mortgages for homes they were buying.³⁶ Winiata also did the sums about housing affordability:

It follows that, if the Housing Corporation or the Department of Māori Affairs are to ensure that the gap between Māori and non-Māori rates of home ownership is to be closed, there must be an attack on the monetary obstacles, in addition to any guidance or other non-monetary assistance (particularly though the Department of Māori Affairs).³⁷

Douglas canvassed the issues Māori faced building on multiple-owned land, including the Town and Country Planning Act 1977 and local district schemes and zoning and difficulties getting bank mortgage finance.³⁸ He also showcased the Housing Corporation's pilot scheme for financing housing (described in more detail later in this chapter).

In addition to homeownership, Douglas provided detailed information about the poor housing conditions experienced by many Māori households. The surveys he canvassed provided ample evidence of Māori need for new rural housing (especially in Waiariki and Waikato-Maniapoto, Tai Tokerau, and Tairāwhiti) or, at the very least, extensive repairs and maintenance of existing housing stock. For example, he described a survey of substandard homes carried out by building staff from the Department of Māori Affairs in 1981 in the Waiariki and Waikato districts. All 612 where and old shacks surveyed lacked essential services. Many were considered uninhabitable when the previous occupants moved on, but had since been re-occupied, often by recent returnees from cities. Around 20 per cent of these 612 dwellings were considered habitable in the short-term if some improvements were carried out. Another 286 dwellings were designated as able to be repaired or renovated. Together these 898 dwellings represented 12.5 per cent of all Māori rural homes surveyed.³⁹ While Māori might have been at 'home' on their ancestral land, many were not well housed, with the pressures on rural housing exacerbated by counter migration of Māori from urban to rural settings.⁴⁰ As explained by Douglas:

Poor housing for rural Māori ... is a complex interaction of old and deteriorating housing stock, overcrowding, sub-standard facilities, high replacement costs, large families, high dependency rates, low incomes, excessive unemployment, isolation, multiple ownership of land, planning

³⁶ Douglas, *Fading expectations: The crisis in Māori housing: a report for the Board of Maori Affairs*, p. 38

³⁷ Winiata, 'Māori home ownership', p. 299

³⁸ Douglas, *Fading expectations: The crisis in Māori housing: a report for the Board of Maori Affairs*, p. 60, p. 79

³⁹ Douglas, *Fading expectations: The crisis in Māori housing: a report for the Board of Maori Affairs*, p. 62

⁴⁰ Douglas, *Fading expectations: The crisis in Māori housing: a report for the Board of Maori Affairs*, pp. 62-3; Nathan Williams, 'Māori counter-migration and housing, 1981–2013: Auckland and Northland', in Fiona Cram, Jessica Hutchings and Jo Smith (eds), *Kāinga tahi kāinga rua - Māori housing realities and aspirations*, Wellington: Bridget Williams Books, 2022, p. 56

restrictions on rural subdivisions, low levels of local body revenue, inadequate finance arrangements, inflexible building codes and a deep attachment to ancestral land.⁴¹

Bathgate wrote that the Housing Corporation had conducted its own research and agreed with Douglas's main conclusions, particularly that 'the quality of much rural housing is poor, and the level of home ownership among Māori people is unacceptably low'.⁴² Douglas concluded that, although the Crown stressed the importance of home ownership, its focus was on urban settings and on trying to encourage Māori to 'transfer their sense of tūrangawaewae from the tribal heartlands to city sections and their suburban neighbourhood'.⁴³

In 1988, the National Housing Commission published its third and final five-yearly report. It was the first of this commission's reports to provide any analysis of Māori housing issues, albeit in a chapter on the 'needs of special groups'.⁴⁴ The commission's third report considered:

the effects of ethnic and other forms of discrimination in housing access, particularly the crisis in Māori housing generally ... a specific Māori rural housing crisis due to decades of neglect by housing authorities coupled with a return of Māori families to tūrangawaewae ... [and] ... devolution of control of resources to Māori iwi (tribal groups) and other 'community groups'.⁴⁵

The National Housing Commission described new schemes introduced for enabling housing on Māori land; namely, the Housing Corporation securing of loans for housing against the house rather than the land and the Department of Māori Affairs' support for papakāinga development.⁴⁶ While they did not make any summative comments about the two schemes, the Commission described the two agencies – the Housing Corporation and the Department of Māori Affairs – as examining the longer-term devolution of housing assistance to iwi authorities.⁴⁷ The Commission described this 'devolution' as implying

an equal contribution by both the Government and the Māori people to encourage self-reliance of Māori people and the granting of an equal say in their development.⁴⁸

⁴¹ Douglas, *Fading expectations: The crisis in Māori housing: a report for the Board of Maori Affairs*, p. 74

⁴² Bathgate, *The housing circumstances of the Maori people and the work of the Housing Corporation in meeting their needs*, p. 1

⁴³ Douglas, *Fading expectations: The crisis in Māori housing: a report for the Board of Maori Affairs*, p. 25

⁴⁴ National Housing Commission, *Housing New Zealand - Provision and policy at the crossroads: NHC five-yearly report*, Wellington: National Housing Commission, 1988, pp. 59-62

⁴⁵ National Housing Commission, *Housing New Zealand - Provision and policy at the crossroads*, p. 7; Davey and Kearns, 'Special needs versus the "level playing-field": Recent developments in housing policy for Indigenous people in New Zealand', p. 76

⁴⁶ National Housing Commission, *Housing New Zealand - Provision and policy at the crossroads*, pp. 61-62

⁴⁷ National Housing Commission, *Housing New Zealand - Provision and policy at the crossroads*, p. 62

⁴⁸ National Housing Commission, *Housing New Zealand - Provision and policy at the crossroads*, p. 62

The National Housing Commission's report also documented Māori dependence on the public sector for mortgage finance and the decline in Māori home ownership. It noted that an estimated 51 per cent of Māori households were in 'serious housing need' (when Māori were 12 per cent of the population). Rural Māori in Tai Rawhiti, Tai Tokerau and Rotorua/Whakatane areas were among those seen to be most at risk of 'serious housing need'. The Commission reported:

Respondents in these areas consistently testified to a virtual absence of investment in housing over the last 40 years. The housing problems experienced by a high proportion of Māori households in rural areas are both chronic and acute overcrowding in often substandard housing.⁴⁹

Shortly after it completed its report, the National Housing Commission was abolished, resulting in a reduction in the Crown's housing research capacity. The new Ministry of Housing, which was established in 1992, was largely interested in research on the Accommodation Supplement.⁵⁰

In their 1987 planning paper entitled *Māori land*, prepared for the Planning Council, planners George Asher (Ngāti Tūwharetoa, Ngāti Pūkenga) and David Naulls provided an account of Māori land loss as a context for contemporary issues relating to land use.⁵¹ Asher and Naulls discussed Māori preferences for land use under two primary themes: retaining Māori land, and fostering Māori self-determination. Under the first theme they stated:

Māori land has several cultural connotations for us. It provides us with a sense of identity, belonging and continuity. It is proof of our continued existence not only as people, but as the tangata whenua of this country. It is proof of our tribal and kin ties. Māori land represents tūrangawaewae. It is proof of our link with ancestors of the past, and of the generations yet to come. It is an assurance that we shall forever exist as a people for as long as the land exists.⁵²

They also described the land's use as a site for homes, as a place of employment, as a source of income to support the people, and to maintain tribal assets. Asher and Naulls stated: 'An important aspect of the uses associated with Māori land is the persistence of traditional Māori concepts, values and beliefs. It is these that have created a distinctive pattern of Māori land use'.⁵³ There could be no misunderstanding about the importance of their land for Māori.

⁴⁹ National Housing Commission, *Housing New Zealand - Provision and policy at the crossroads*, p. 79

⁵⁰ David C. Thorns, 'The remaking of housing policy: The New Zealand housing strategy for the 21st century', *Housing Finance International*, 2006, p. 23

⁵¹ Gerard J. van Bohemen, 'The New Zealand Planning Council', *Victoria University of Wellington Law Review*, 9, 2, 1978, p. 185

⁵² George Asher and David Naulls, *Maori land: Planning Paper No. 29*, Wellington: New Zealand Planning Council, 1987, p. 81

⁵³ Asher and Naulls, *Maori land: Planning Paper No. 29*, pp. 81-82

The government set up a Royal Commission on Social Policy in 1988, with a warrant ‘to inquire into the extent to which existing instruments of policy meet the needs of New Zealanders’.⁵⁴ This Royal Commission was an opportunity for the Crown to hear directly from Māori about the issues concerning them, including housing. Public hearings on marae, insisted upon by Commission member Sir Mason Durie (Rangitāne, Ngāti Kauwhata, and Ngāti Raukawa), resulted in wide Māori participation in Commission hearings.⁵⁵ A separate analysis was undertaken of the views expressed by Māori in their submissions on marae as ‘the issues discussed and their collective development were so distinctive’, with the problems experienced by Māori often attributed to the lack of recognition of Te Tiriti o Waitangi.⁵⁶

The Commission reported that at these hearings ‘extreme concern was expressed about the inadequate housing of Māori families’, with this being attributed to a shortage of housing stock and housing not being seen as part of community and social development.⁵⁷ Māori land alienation was also at the heart of people’s submissions, with Māori landlessness attributed to farms being seen as uneconomic, land being leased to others, urbanisation policies, and how the land was rated.⁵⁸ For example, a Māori participant stated that ‘rating demands’ should consider the land’s history not just its capital value.⁵⁹ Another Māori participant recommended that Māori land should attract different rates than commercial land.⁶⁰ The recommendations made by those appearing before the Commission included two by Ranginui Walker; namely, 40-year housing loans for people on a minimum wage, and a graduated scale for loan finance with accompanying rates of interest so that those on a minimum wage could get a 95 per cent housing loan at a low-interest rate.⁶¹ Submissions also included the suggestion that if they were funded and empowered, tribal authorities could provide low-cost housing on Māori land.⁶²

In the Housing Corporation’s submission to the Royal Commission on Social Policy, Bathgate reiterated much of his 1987 report and described a new initiative developed by the Housing Corporation to secure mortgage finance for those wishing to build on Māori land against the house rather than the land; namely, the Multiple Ownership Housing Contract (discussed in more detail later in this chapter). He

⁵⁴ Royal Commission on Social Policy, *The April report, Volume I. New Zealand today*, Wellington: Royal Commission on Social Policy - Te Kōmihana a te Karauna mō ngā Āhuatanga-ā-Iwi, 1988, p. v

⁵⁵ Royal Commission on Social Policy, *The April report, Volume I. New Zealand today*, Wellington: Royal Commission on Social Policy - Te Kōmihana a te Karauna mō ngā Āhuatanga-ā-Iwi, 1988, pp. 253-298

⁵⁶ Royal Commission on Social Policy, *The April report*, p. 229, p. 231, p. 253

⁵⁷ Royal Commission on Social Policy, *The April report*, p. 264

⁵⁸ Royal Commission on Social Policy, *The April report*, pp. 269-270

⁵⁹ Royal Commission on Social Policy, *The April report*, p. 270

⁶⁰ Royal Commission on Social Policy, *The April report*, p. 270

⁶¹ Royal Commission on Social Policy, *The April report*, p. 264

⁶² Royal Commission on Social Policy, *The April report*, p. 236

also outlined the Corporation's interest in a community development approach to improving rural housing.⁶³

While Campbell Roberts (in his housing chapter in the fifth volume of the Commission's report) made seven Māori housing recommendations, none were explicitly concerned with facilitating housing on Māori land:

1. That the Housing Corporation of New Zealand continue to be a significant provider of resources for Maori housing and be required to modify and improve its services and delivery.
2. That greater emphasis be placed on Maori home ownership through Maori Affairs assisting with initial deposits and additional mortgages while Housing Corporation provide first mortgage finance as it does to other clients and that whanau mortgages and other creative approaches be encouraged.
3. That ways to improve legal redress against racial discrimination and exploitation by private landlords and financial institutions should be investigated.
4. That devolution of resources to iwi authorities continues to be investigated but that this remain in partnership with Housing Corporation and Maori Affairs in order that overall needs can be balanced and that Maori people who have lost their tribal links are not disadvantaged.
5. That the special needs of Maori women be recognised with appropriate advocacy provided by an advisory committee including interest areas such as women's affairs.
6. That a Maori Unit be established within the head office of the Housing Corporation to ensure more sensitive and adequate delivery of services to Maori people.
7. That special funding be applied to remedy the backlog of housing needs and to maintain an appropriate level of support for the future if proportion of Maori in the population continues to increase.⁶⁴

However, the looming economic crisis impacted industrialised economies around the world, including Aotearoa New Zealand, hampered follow-up on the Commission's work and the implementation of its recommendations.⁶⁵

⁶³ Bathgate, *Housing needs of the Māori community*, pp. 18-19

⁶⁴ Campbell Roberts, 'Housing', in Royal Commission on Social Policy, *The April report, Volume IV. Social perspectives*, Wellington: Royal Commission on Social Policy - Te Kōmihana a te Karauna mō ngā Āhuatanga-ā-Iwi, 1988, pp. 188-189

⁶⁵ Jo Barnes and Paul Harris, 'Still kicking? The Royal Commission on Social Policy, 20 years on', *Social Policy Journal of New Zealand*, 37, 2011, p. 2

The 1991 Census provided some insights into housing issues facing Māori, with 55.3 per cent of Māori dwellings owned with or without a mortgage compared to 73.6 per cent of all dwellings.⁶⁶ Home ownership rates among Māori remained the highest in rural areas.⁶⁷ At the same time as Māori home ownership had been declining, a higher Māori birth rate meant that Māori housing demands had been growing at a faster rate than for the general population. These growing demands and the relatively low incomes of Māori resulted in Māori-led households experiencing proportionally more household overcrowding than Pākehā-led households.⁶⁸ Around 30 per cent of Māori were exposed to household crowding in 1991, compared to around 8 per cent of European/Other New Zealanders.⁶⁹

From the late 1980s and into the 1990s, the Waitangi Tribunal's reports were a growing source of information about Māori housing, including the aspirations of Māori to build housing on their own land and the contemporary and historical barriers they had encountered to achieving this (with many of these reports referenced throughout this report). For example, in the report on the Ōrākei Claim (Wai-9) published in 1987, the Waitangi Tribunal recommended that Housing Corporation land be part of the Crown's settlement with Ngāti Whātua Ōrākei so that they could use it for their papakāinga development and provide opportunities for tribal members to 'move home'.⁷⁰ In 1994, the Tribunal commissioned Gael Ferguson to write an overview of housing policy that impacted Māori for the Wai 60 claim. Ferguson was clear that up until 1984 financial agencies, including the Crown, were reluctant and mostly refused to finance housing on Māori land. This refusal, in turn, contributed to Māori urban migration and land alienation.⁷¹

Other agencies also reported on Māori housing needs. In 2001, for example, Ron Crawford's Treasury working paper, *Reducing Māori and Pacific Inequalities*, stated that the proportion of overcrowded Māori households had declined by nine per cent, but was still higher than the one per cent of non-Māori/non-Pacific households that were overcrowded. In addition, it was estimated that around 2,000

⁶⁶ Department of Statistics, 1993 *New Zealand Official Year Book*, https://www3.stats.govt.nz/New_Zealand_Official_Yearbooks/1993/NZOYB_1993.html?_ga=2.24590462.57923358.1671077262-1203001239.1669497120 (accessed 17 January 2022)

⁶⁷ Murphy and Ulrich Cloher, 'Economic restructuring, housing policy and Māori housing in Northland, New Zealand', p. 326

⁶⁸ David C. Thorns, *Fragmenting societies? A comparative analysis of regional and urban development*, London: Routledge, 1992, p. 233

⁶⁹ Michael G Baker et al., *The distribution of household crowding in New Zealand: An analysis based on 1991 to 2006 Census data*, Wellington: He Kainga Oranga/ Housing and Health Research Programme, University of Otago, 2012, p. 16

⁷⁰ Waitangi Tribunal. *Report of The Waitangi Tribunal on The Orakei Claim (Wai-9)*, Wellington: Brooker & Friend Ltd, 1987, p. 8, p. 264, p. 270

⁷¹ Gael Ferguson, 'Background report for the Wai 60 claim', 1995, p. 1

to 3,000 Māori rural households were living in substandard accommodation.⁷² Crawford marked addressing substandard rural housing as a medium priority. He noted:

In considering interventions to address rural housing problems, it will be important to avoid creating undue incentives for people to remain in (or move to) areas with few employment opportunities, and few opportunities for skill development through post-compulsory education or training. The social gains from improved housing will need to be balanced against the possible social costs from entrenching people within remote areas.⁷³

Crawford suggested that assistance for home ownership was a low priority ‘because it is not clear that renting rather than owning has negative social impacts’ for Māori, while also acknowledging that ‘the tendency for Māori to rent’ impacted intergenerational wealth transfer.⁷⁴ This was a reiteration of advice provided to the government by Ministry of Housing and Treasury officials involved in housing policy-making. Health officials, however, had limited involvement in this policy-making, so evidence from surveys of Māori housing and the impact of poor quality housing on Māori health went largely unheard.

In 2002 the Housing New Zealand Corporation published a design guide, *Ki te Hou Kāinga – New perspectives on Māori housing solutions*, developed by a Māori reference group working with Housing Corporation researchers. The new Māori housing solutions described were for urban/suburban and rural whānau houses as well as for urban/suburban and rural papakāinga (see 5.1 below for an illustration of a papakāinga from this guide).⁷⁵ The guide clearly stated: ‘Māori housing must be developed as an integral part of a holistic approach to Māori economic, cultural, educational, social and environmental development’.⁷⁶ This meant, for example, taking into account cultural sensitivities such as tapu and noa when considering where household functions were positioned, what the entrance way to a house should be like, and how indoor and outdoor spaces related to one another.⁷⁷

⁷² Ron Crawford, *Reducing Māori and Pacific Inequalities*, Wellington: Treasury Working Paper, 2001, p. 21

⁷³ Crawford, *Reducing Māori and Pacific Inequalities*, p. 23

⁷⁴ Crawford, *Reducing Māori and Pacific Inequalities*, p. 22

⁷⁵ Housing New Zealand Corporation. *Ki te hou kāinga - New perspectives on Māori housing solutions*. Wellington: Housing New Zealand Corporation, 2002, p. 4

⁷⁶ Housing New Zealand Corporation. *Ki te hou kāinga - New perspectives on Māori housing solutions*. Wellington: Housing New Zealand Corporation, 2002, p. 5

⁷⁷ Housing New Zealand Corporation. *Ki te hou kāinga - New perspectives on Māori housing solutions*. Wellington: Housing New Zealand Corporation, 2002, pp. 8-11

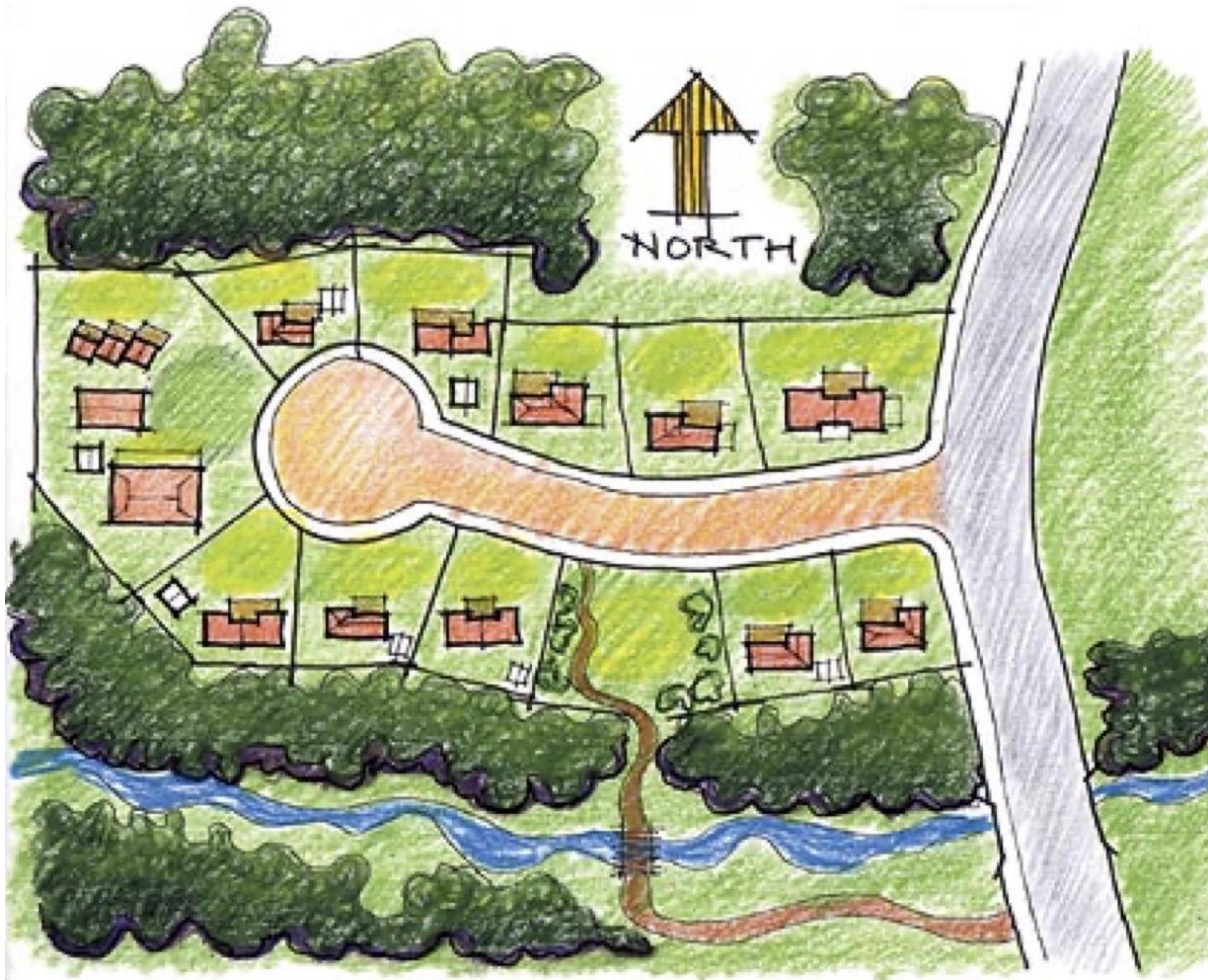


Figure 5.1: Cul-de-sac Papakāinga showing Marae facilities and central reserve area, Housing New Zealand Corporation. *Ki te hou kāinga - New perspectives on Māori housing solutions*. Wellington: Housing New Zealand Corporation, 2002, p. 6

The Motu Economic and Public Policy Research Institute prepared a report in 2004 on the New Zealand housing market for the Centre for Housing Research Aotearoa New Zealand, which included specific housing implications for Māori. Motu acknowledged that this report was not a ‘comprehensive study of Māori housing circumstances’.⁷⁸ The issues raised in this report included the contribution of poor finances to poor maintenance of rural housing, and the constraints on home ownership and business development of papakāinga housing not being able to act as security.⁷⁹

⁷⁸ Arthur Grimes, Suzi Kerr, and Andrew Aitken, ‘Bi-directional impacts of economic, social and environmental changes and the New Zealand housing market’, Motu Working Paper 04-09, Wellington: Motu Economic and Public Policy Research, 2004, p. 57

⁷⁹ Grimes, Kerr, and Aitken, ‘Bi-directional impacts of economic, social and environmental changes and the New Zealand housing market’, pp. 58-60

A Hui Taumata/Māori Economic Summit Conference was held in 2005, but Māori housing issues barely warranted a mention in the background or summary papers prepared. In addition, government background papers for this hui suggested that Māori collective ownership of land was still a barrier to Māori economic development, largely because of the difficulties of raising finance.⁸⁰ This sentiment found its way into the summary report of the Hui, with ‘traditional attachments to the land’ noted as a suggested challenge.⁸¹ However, as the New Zealand Institute of Surveyors pointed out in their report for Hui Taumata 2005:

Tenure in collective ownership is common in many countries and need not preclude the full facility for owners for enjoyment or the productive use of their land ... New Zealand can benefit from accepting Māori land as not simply in a transitional stage moving towards individual title but as an alternative form of group ownership which needs to be accommodated in our formal land administration system.⁸²

Landcare Research published a report by Garth Harmsworth in 2005 entitled *Good practice guidelines for working with tangata whenua and Māori organisations: Consolidating our learning*. In addition to Te Tiriti o Waitangi, Harmsworth canvassed the legislative framework governing Māori land and then described good practices for working collaboratively with Māori along with indicators for assessing collaborative success. Many of the barriers he described to effective Māori participation, and the reason for developing the guidelines, were related to Māori difficulties building on their own land.⁸³ These barriers included:

- lack of recognition of rights and status of iwi and hapū as Treaty partners
- lack of Treaty knowledge and provision for the Treaty of Waitangi
- at a disadvantage for effectively managing their natural resources and taonga
- process and timeframes that do not take into account iwi/hapū consultation processes
- lack of, or difficult systems in place for allowing iwi/hapū participation
- actions by local government that impinge on iwi/hapū rights, e.g., lands subject to Treaty
- claims, adverse effects on wahi tapu and other cultural sites, loss of access to cultural sites
- under-resourcing of iwi/hapū to effectively participate
- lack of knowledge of Māori issues by local government
- lack of Māori representation in local government

⁸⁰ John Whitehead and Barbara Annesley, ‘The context for Māori economic development A background paper for the 2005 Hui Taumata’, Wellington: New Zealand Treasury, 2005, pp. 25-26

⁸¹ Hui Taumata 2005, ‘Hui Taumata 2005: Summary report’, Wellington: Hui Taumata, 2005, p. 18

⁸² New Zealand Institute of Surveyors, ‘Effective land tenure for developing Māori land assets’, 2005, p. 2, p. 4

⁸³ Garth Harmsworth, *Good practice guidelines for working with tangata whenua and Māori organisations: Consolidating our learning*, Wellington: Landcare, 2005, p. 11

- consultation with the wrong parties
- offensive pollution practices
- urban and rural policies that do not take Māori communities into account.⁸⁴

The same year, 2005, the Western Bay of Plenty District Māori Forum published its report on the *Development of housing on multiple-owned Māori land in the Western Bay of Plenty*. The objective of this forum was to both understand and develop local collaborative solutions to barriers to building on Māori land.⁸⁵ The issues identified by the forum included bureaucracy and lack of access to agencies, which meant that it was difficult to work with owners in the early stages of their planning. Their solutions were the creation of a collaborative forum that could identify the planning stages and agencies that needed to be involved, so that this was clearer for owners. Restrictive zoning and the financial contributions demanded by the council were also seen as barriers, with solutions being an overall infrastructure plan for the land that the council could then assess financial contributions against (rather than piecemeal development plans). The final barriers identified were the cost of building and the inability for owners to get mortgage finance and to then pay their mortgage if they got finance. The solution proposed revolved around options for flexible finance and ‘affordable houses’.⁸⁶

In 2006, a report on Māori housing experiences was prepared for the Centre for Housing Research Aotearoa New Zealand and Te Puni Kōkiri by researchers from the Family Centre Social Policy Research Unit and the Research Centre for Māori Health and Development at Massey University. The researchers, led by Charles Waldegrave, examined census data, data from the Te Hoe Nuku Roa longitudinal study of Māori households, and qualitative fieldwork (individual interviews with key informants from each of six Territorial Local Authorities and with 18 Māori householders, 8 focus groups with 52 Māori householders).⁸⁷ From their literature review, the authors noted that Māori aspirations for homeownership were similar to those of Pākehā but Māori faced more barriers to realising these aspirations, including difficulties obtaining mortgage finance, discrimination, high bureaucratic costs, and high rural development costs. The design of Māori homes was also beginning to be discussed more explicitly in research, as Māori still wanted their homes to be able to accommodate whānau and visitors, and to not breach tapu restrictions. For some, this latter requirement may have

⁸⁴ Harmsworth, *Good practice guidelines for working with tangata whenua and Māori organisations: Consolidating our learning*, p. 11

⁸⁵ Western Bay of Plenty District Council Maori Forum, ‘Development of housing on multiple-owned Māori land in the Western Bay of Plenty’, 2005, p. 5

⁸⁶ Western Bay of Plenty District Council Maori Forum, ‘Development of housing on multiple-owned Māori land in the Western Bay of Plenty’, 2005, p. 7

⁸⁷ Charles Waldegrave, Peter King, Tangihaere Walker, and Eljon Fitzgerald, ‘Māori housing experiences: Emerging trends and issues’, Wellington: Centre for Housing Research, Aotearoa New Zealand and Te Puni Kōkiri, 2006, pp. 17-18

meant separation of living and cleaning spaces, while for others it may have meant laundry facilities external to the main house.⁸⁸

The qualitative fieldwork and the literature reviewed in Waldegrave's report supported the long-held belief by Māori that their experiences of housing should be understood in terms of Māori cultural values and practices. This was seen to be at odds with the predominant western housing system that privileged individual property rights and housing as an asset. Māori often made trade-offs in their housing in order to fulfil cultural imperatives within this housing system to live close to whānau or be connected to their tūrangawaewae.⁸⁹ The satisfaction of Māori homeowners was higher when their home was sited in one or both of these locales.⁹⁰ According to this report:

The inverse relationship between Māori cultural identity scores and housing outcomes within the Te Hoe Nuku Roa study suggests that involvement in Te Ao Māori (the Māori world) might come at a cost and may influence factors related to housing outcomes.⁹¹

Barriers to home ownership included low-income levels, indebtedness, poor access to finance (often as a result of the first two barriers and potentially an additional barrier of discrimination), and limited access to information about home ownership. Combined with high property prices, the homeownership aspirations of many whānau were moemoeā (dreams) rather than realistic goals.⁹² Of particular relevance to this research report, Waldegrave's report also noted:

The rural sector faces particular problems in terms of the quality and availability of housing for purchase and rent, the cost and lack of services for maintenance and development and the reported lack of responsiveness and coordination on the parts of many local and regional councils and central government.⁹³

The report's authors recommended new initiatives that would build on existing government housing initiatives, such as Low Deposit Rural Lending and Welcome Home Loans. Some of these recommendations harked back to earlier Māori Affairs housing schemes: affordable loans (including suspensory loans and low-interest subsidised loans); shared equity and rent-to-buy schemes; homeownership education for whānau; and lending schemes that worked for those wanting to build on Māori land.⁹⁴

⁸⁸ Waldegrave, King, Walker, and Fitzgerald, 'Māori housing experiences: Emerging trends and issues', pp. 12-13

⁸⁹ Waldegrave, King, Walker, and Fitzgerald, 'Māori housing experiences: Emerging trends and issues', p. 12

⁹⁰ Waldegrave, King, Walker, and Fitzgerald, 'Māori housing experiences: Emerging trends and issues', p. 13

⁹¹ Waldegrave, King, Walker, and Fitzgerald, 'Māori housing experiences: Emerging trends and issues', p. 13

⁹² Waldegrave, King, Walker, and Fitzgerald, 'Māori housing experiences: Emerging trends and issues', p. 13

⁹³ Waldegrave, King, Walker, and Fitzgerald, 'Māori housing experiences: Emerging trends and issues', p. 13

⁹⁴ Waldegrave, King, Walker, and Fitzgerald, 'Māori housing experiences: Emerging trends and issues', p. 13

The deterioration of Māori owner-occupied housing stock continued across this time period. The Housing New Zealand Corporation's Rural Housing programme (discussed below) and its evaluation documented the poor state of Māori rural housing and the increasing focus of the programme on housing maintenance and repairs in response (discussed in more detail later in this chapter). In their 2006 research, Waldegrave and his colleagues interviewed key informants on the East Coast who reported on housing conditions. According to this report:

From a rural housing point of view, many people were unhappy with their housing conditions because they were living in inherited whānau homes that were often old and in poor repair. Many of these people lack the resources to repair and maintain their houses but are prepared to put up with 'substandard' conditions in order to be able to live in their whānau home and their own community.⁹⁵

While the Waldegrave report only touched very briefly on the issue of regional council rates,⁹⁶ this issue was raised extensively by lawyer Pita (Peter) Rikys (Ngāti Awa, Ngāti Kahungunu, Te Whānau Apanui, Rongomaiwahine). He described an example of the 91.2-hectare land block, Mahinepua C, Whangaroa: 'An undulating hilly block of land at Whangaroa with panoramic sea views'.⁹⁷ Mahinepua C block had been vested with the Māori Trustee in 1971 to recover a small rates arrears. The vesting order had been sought by the Far North District Council, and when it was granted this council then leased the land from the Māori Trustee for a renewable term of 99 years. The owners were prevented from living on their land and they have received little benefit from the peppercorn rent paid by this council.⁹⁸

In November 2006, an independent inquiry into local government rates was begun, with the release of the inquiry's terms of reference by the Minister of Local Government, Mark Burton at the start of November 2006.⁹⁹ The inquiry was conducted by a three-member panel that had a combination of financial and local government expertise: David Shand (the chair of this inquiry) had expertise in public financial management, Graeme Horsley (property management and valuation), and Christine Cheyne (representation and public participation in local government and social policy).¹⁰⁰ Among other issues,

⁹⁵ Waldegrave, King, Walker, and Fitzgerald, 'Māori housing experiences: Emerging trends and issues', p. 74

⁹⁶ Waldegrave, King, Walker, and Fitzgerald, 'Māori housing experiences: Emerging trends and issues', p. 81

⁹⁷ Rikys, *The valuation and rating of Māori land*, p. 89

⁹⁸ Rikys, *The valuation and rating of Māori land*, p. 89

⁹⁹ Department of Internal Affairs, 'Local Government Rates Inquiry website', 25 June 2012, <https://www.dia.govt.nz/Decommissioned-websites---Rates-Inquiry> (accessed 20 January 2023)

¹⁰⁰ Local Government Rates Inquiry Panel, 'Funding local government', Report of the Local Government Rates Inquiry - Pakirehua mō ngā Reiti Kaunihera ā-Rohe, Wellington: Government Rates Inquiry, 2007

the inquiry panel was charged with looking into ‘the impact of rates on land covered by the Te Ture Whenua Māori Act 1993’.¹⁰¹

Māori business leader Whaimutu Dewes (Ngāti Porou, Ngāti Rangitihi) and historian Tony Walzl prepared a background paper for the inquiry. This was based on 56 submissions from Māori who attended 11 hui around the country, local government submissions, and the individual submissions that touched on the issue.¹⁰² Māori submitters were clear that the rating system was in conflict with Māori cultural values of ‘being from and of the land, of being linked to the past and present of land through whakapapa and of having kaitiaki responsibilities to protect and nurture the land’.¹⁰³ Māori submissions also canvassed Te Tiriti o Waitangi and the history of rating Māori land, along with the inequity of land valuations. There was also discussion of Māori as ratepayers, including an acknowledgement of the stress landowners felt when their Māori land incurred rates arrears and they did not know how to apply for rates exemptions or remissions.¹⁰⁴

Dewes and Walzl described Māori submitters as being of the same view as the Court of Appeal; namely, that land valuation needed to take into the circumstances and characteristics of a land block.¹⁰⁵ Submissions on two types of land are described here as these were closely linked with housing on Māori land. Māori had found that ‘the disjunction between the cultural and social roles of papakainga [were] not reflected or recognised by the rating system’, so that papakāinga areas were treated no differently than other land titles.¹⁰⁶ Māori submitters saw a lack of protection of papakāinga land within the rating system as undermining community vitality and potentially the viability of a community in a climate of rising land values and rates.¹⁰⁷ As noted by Dewes and Walzl:

At several hui, groups reported the battle they have with the establishment of papakainga housing. For many hapu, the establishment of papakainga housing is the perfect solution to address the difficulty of encouraging their people to return home whilst getting over the high cost of land for residences. It was reported to the Rates Inquiry Panel that local authorities do little to assist and often actively impede papakainga housing going ahead.¹⁰⁸

¹⁰¹ Department of Internal Affairs, ‘Background to Inquiry, archived website, https://ndhadeliver.natlib.govt.nz/delivery/DeliveryManagerServlet?dps_pid=IE12126512 (accessed 20 January 2023)

¹⁰² Whaimutu Dewes and Tony Walzl, ‘Issues Paper on the impact of rates on Māori Land’, Prepared for the Local Government Rates Inquiry - Pakirehua mō ngā Reiti Kaunihera ā Rohe, June 2007, p. 5

¹⁰³ Dewes and Walzl, ‘Issues Paper on the impact of rates on Māori Land’, p. 5

¹⁰⁴ Dewes and Walzl, ‘Issues Paper on the impact of rates on Māori Land’, pp. 5-8

¹⁰⁵ Dewes and Walzl, ‘Issues Paper on the impact of rates on Māori Land’, p. 8

¹⁰⁶ Local Government Rates Inquiry Panel, ‘Funding local government’, p. 219

¹⁰⁷ Dewes and Walzl, ‘Issues Paper on the impact of rates on Māori Land’, p. 8

¹⁰⁸ Dewes and Walzl, ‘Issues Paper on the impact of rates on Māori Land’, p. 43

Māori land that had been converted to general land, in turn, could still be owned by Māori but was vulnerable to alienation if rates arrears accumulated. The explanation given for a change in title from Māori land to general land was the Māori Affairs Amendment Act 1967, ‘where the title was compulsorily changed without agreement or notification’ (discussed more fully in the previous chapter).¹⁰⁹ A speaker at the May 2007 Wellington hui for the inquiry provided an example of the impact of the conversion to general land for coastal Māori land at Tokomaru Bay under the Māori Affairs Amendment Act 1967.¹¹⁰ In their report for the inquiry, Dewes and Walzl described this example:

The owner passed away and the location of his heir was not known. The land then accrued rates from the mid 1980’s for 20 years. Two years ago the Gisborne District Council took out a High Court application to sell the land. The wider whanau had to come together to pay the \$20,000 of rates arrears and only managed to do so at the last minute and save the land from alienation.

This speaker knew of a number of examples such as this on the East Coast.¹¹¹

While there was broad consensus between Māori submitters and local authorities that something needed to be done, their proposed solutions were very different.¹¹² For Māori, the foundation of decision-making and the valuing of the land for rating purposes was about Te Tiriti and the cultural meaning of land. Local authorities focussed on the collection of rates in their submissions and their lack of ability to act (that is, force the sale of the land) when rates were not paid.¹¹³ Dewes and Walzl, for their part, proposed the need for a new frame of reference, starting from the premise that ‘Māori land is not rateable for general rates’.¹¹⁴ They proposed that specific or targeted rates should only apply to land that received or accessed services (through use or occupation). In an addendum, Dewes and Walzl addressed the issue of Māori land that had been converted to general land under the Māori Affairs Amendment Act 1967, stating that this land

is a specific category of Māori-owned land that has borne a disproportionately heavy impact of rating powers. This ... land is still regarded and treated by the owners as their ancestral land ... [and should be] treated in the same way as Māori land for the purposes of rating in all respects.¹¹⁵

When the inquiry report was released in August 2007, it made seven recommendations about the rating of Māori land, but did not explicitly address the rating of papakāinga land. The recommendations

¹⁰⁹ Dewes and Walzl, ‘Issues Paper on the impact of rates on Māori Land’, p. 9

¹¹⁰ Dewes and Walzl, ‘Issues Paper on the impact of rates on Māori Land’, p. 48

¹¹¹ Dewes and Walzl, ‘Issues Paper on the impact of rates on Māori Land’, p. 48

¹¹² Dewes and Walzl, ‘Issues Paper on the impact of rates on Māori Land’, p. 9

¹¹³ Dewes and Walzl, ‘Issues Paper on the impact of rates on Māori Land’, p. 10

¹¹⁴ Dewes and Walzl, ‘Issues Paper on the impact of rates on Māori Land’, p. 12

¹¹⁵ Dewes and Walzl, ‘Issues Paper on the impact of rates on Māori Land’, p. 13

focused mostly on the government, local government, and Māori working together to resolve the rates issues raised:

58. That the relationship between the Treaty of Waitangi and rating law be addressed by the Government and form part of the work programme on rating and Māori land.
59. That a new basis for valuing Māori land for rating purposes be established that explicitly recognises the cultural context of Māori land, the objectives of Te Ture Whenua Maori Act 1993, and the inappropriateness of valuations for rating purposes being based on the “market value” of Māori land.
60. That the Government establish an explicit programme of work aimed at addressing the entrenched problems of rating on Māori land and that this be undertaken in partnership with local government and Māori.
61. That, as part of this programme of work, the Government collaborate in a joint exercise with local government and Māori in developing a coordinated and consistent approach to rates remission policies for Māori land.
62. That Māori freehold land that was made general land in the 1967 amendment to the Maori Affairs Act and is still in Māori ownership should be permitted to revert to Māori freehold land enjoying the same rates remissions policies as existing Māori freehold land. Further, there should be no restriction on changing the status of this land back into Māori freehold land.
63. That the work programme proposed in recommendation 60 should be linked to programmes assisting the productive development of the land.
64. That the Society of Local Government Managers, in consultation with Local Government New Zealand, central government, and Māori, develop a programme of training and development that can build capacity and knowledge within local government to effectively address rating and other related issues on Māori land.¹¹⁶

When the inquiry report was released, Burton stated that ‘some recommendations are challenging while others are reassuring’ and that the government needed to consider the recommendations in conjunction with local government representatives.¹¹⁷ In 2019, David Shand wrote that he believed that the financial autonomy of local government ‘along with the generally strong financial position of councils, was a key factor in the then government’s rejection of nearly all of the recommendations of the 2007 Rates Inquiry’. However, he added that he had no hard evidence for this claim as there had not been a comprehensive government response to the Inquiry’s recommendations.¹¹⁸

¹¹⁶ Local Government Rates Inquiry Panel, ‘Funding local government. Report of the Local Government Rates Inquiry - Pakirehua mō ngā Reiti Kaunihera ā-Rohe, pp. 225-226

¹¹⁷ Mark Burton, ‘Government to study Rates Report’, New Zealand Government, 28 August 2007, <https://www.beehive.govt.nz/release/government-study-rates-report> (accessed 20 January 2023)

¹¹⁸ David Shand, ‘Local government role & autonomy: Some additional perspectives’, A paper prepared for The Policy Observatory, Auckland University of Technology, February 2019, p. 4

In summary, issues related to Māori home ownership, including building, repairing, and maintaining homes on Māori land came to the fore in this time period after being largely ignored by the first two reports of the National Housing Commission and this commission's contracted researchers. Edward Douglas's 1986 overview of reports and statistics about Māori housing conditions sparked a response from the Housing Corporation, which subsequently began collecting ethnicity information and instigating a programme of lending for housing on Māori land. The Corporation's own reports, including its submission to the Royal Commission on Social Policy, were key information inputs for the Crown. The Royal Commission also successfully gathered Māori oral and written submissions, leading to recommendations for Crown responsiveness to Māori housing need alongside devolution of resources to iwi. The promise of these recommendations, however, ran into global financial conditions that, in turn, led to economic reforms that impacted the Crown's commitment to facilitating housing on Māori land as well as negative economic repercussions for Māori. This is described next.

5.3 What was the impact of political and economic maelstroms on Māori housing aspirations?

Crown policy towards housing on Māori land during this period occurred against the backdrop of major political, economic, social, and cultural change, as well as a more assertive Māori protest movement that stressed the need for 'Maori solutions to Maori problems'. By 1984, it was clear that the gap between Māori and Pākehā was growing, rather than closing.¹¹⁹ This was not just a gap of Māori disparities in educational achievement, employment, housing, and health; it was a gap between Māori views of their sovereign and citizenship rights and the concessions that Pākehā were willing to make in the face of growing Māori demands.¹²⁰

The Fourth Labour Government's neoliberal reforms and its Māori policy direction suggested what Belgrave has described as an uneasy alliance between the Government and Māori tribal development aspirations that 'blunted Māori opposition' to some of the less palatable aspects of Labour's reforms.¹²¹ The government quickly commenced a process of restructuring and deregulation that changed the drivers of the New Zealand economy.¹²² The housing policy changes, however, would have been far more wide ranging if the government had followed all of Treasury's advice about housing reforms.¹²³

¹¹⁹ Louise Humpage, 'Closing the gaps? The politics of Māori Affairs policy', PhD thesis, Massey University, 2002, p. 57

¹²⁰ Hill, 'Crown-Rangitiratanga relations in the 20th Century', p. 187

¹²¹ Belgrave, 'Beyond the Treaty of Waitangi: Māori tribal aspirations in an era of reform, 1984–2014', p. 199

¹²² Murphy and Ulrich Cloher, 'Economic restructuring, housing policy and Māori housing in Northland, New Zealand', p. 325

¹²³ Simon Campbell, 'Restructuring NZ housing policy 1990–1998: an institutional analysis', MA thesis, University of Canterbury, 1999, p. 48

As a consequence of not following this advice, housing supply side initiatives continued; for example, government housing assistance by way of subsidised rents (25 per cent of tenants' net income) and subsidised first home loans for low-income purchasers.¹²⁴ While this assistance was intended to mitigate against substandard housing, discrimination, high costs and supply shortages, it had the added benefits of suppressing rents in the private market.¹²⁵

Many of the jobs Māori had found in the cities, in blue- and white-collar employment, vanished under economic reforms that downsized the public sector, corporatized state-owned companies, and removed manufacturing subsidies.¹²⁶ The increase in Māori unemployment in the mid-1980s was accompanied by the counter-migration of Māori shifting from urban to rural areas, returning to their *tūrangawaewae*.¹²⁷ Historian Nathan Williams noted that the government's reforms 'did not cause counter-migration, but rather diminished the cultural utility that Auckland had once offered'.¹²⁸ Some Māori returned home to where they had spent their childhood, while others returned 'home' to family-owned land they had never lived on before.¹²⁹

In 1987, the Social Equity Committee (constituted of ministers and officials from the Prime Minister's Office, Housing Corporation NZ, Treasury, States Services Commission, and the Departments of Māori Affairs, Internal Affairs) met to recommend measures to enable Māori to build on Māori land.¹³⁰ The solution proposed to the issue of land alienation because of family law legislation (namely, the Joint Family Homes Act 1964, the Matrimonial Property Act 1963, the Law Reform Act 1936 and the Family Protection Act 1955) was for the Māori Land Court to issue *papakāinga* orders. The Housing Corporation was then able to propose a three-way contract for financing homes on Māori land. This involved itself as lender, the person borrowing the money, and Trustees of a block of Māori land that had been vested under Section 438 of the Māori Affairs Act 1953. The Trustees would grant the borrower a licence to occupy a housing section and the borrower would then gain assistance from the Housing Corporation if they met its usual lending criteria. The loan would be secured over the house and not the land (see below, Multiple Ownership Housing Contract).¹³¹ This reform enabled the Housing Corporation to respond to requests that it become more responsive to Māori housing aspirations, but at

¹²⁴ Thorns, 'The remaking of housing policy: The New Zealand housing strategy for the 21st century', p. 21

¹²⁵ Campbell, 'Restructuring NZ housing policy 1990–1998', p. 3

¹²⁶ Brown, 'Tūrangawaewae kore: Nowhere to stand', pp. 352–353

¹²⁷ Brown, 'Tūrangawaewae kore: Nowhere to stand', pp. 352–353

¹²⁸ Williams, 'Māori counter-migration and housing, 1981–2013: Auckland and Northland', p. 56

¹²⁹ Robin Kearns, 'Places to stand but not necessarily to dwell: The paradox of rural homelessness in New Zealand', in Paul Milbourne and Paul Cloke (eds), *International perspectives on rural homelessness*, New York: Routledge, 2005, p. 250

¹³⁰ Williams, 'Māori counter-migration and housing, 1981–2013: Auckland and Northland', p. 57

¹³¹ Bathgate, *The housing circumstances of the Maori people and the work of the Housing Corporation in meeting their needs*, pp. 25–26

the same time the Housing Corporation moved independently of the Papakāinga Housing Research Group and ignored some of the group's advice (described in more detail later in this chapter).¹³²

The Labour Government removed the capitalisation of the family benefit (discussed in detail earlier in this report) in 1986. This had been an important source of funding for housing deposits for Māori families to build or purchase housing. Family benefit capitalisation was replaced by the Home Start Deposit Assistance Scheme, which was administered by the Housing Corporation until 1991 when the National Government abolished the scheme.¹³³ Meanwhile, in 1989, the Māori Affairs Restructuring Act replaced the Department of Māori Affairs with the Ministry of Māori Affairs and the Iwi Transition Agency.¹³⁴ In the 1989/1990 financial year the Iwi Transition Agency provided comparable (to the Housing Corporation) modest-income, Homestart and refinance/second-chance lending schemes. They also administered Papakāinga Housing, housing assistance to families participating in the Matua Whāngai scheme, and Whareawhina support for the construction of dwellings on or next to marae.¹³⁵ This housing was intended to be for marae custodians and as transitional housing for locally employed families, homeless people, and youth at risk.¹³⁶ The Wharetapiri programme support was for added accommodation to family homes to prevent the break-up of large whānau.¹³⁷ In 1992, both these new organisations – Ministry of Māori Affairs and the Iwi Transition Agency – were replaced by Te Puni Kōkiri, the Ministry of Māori Development.¹³⁸

Towards the end of 1990, the Opposition National Party's leader, Jim Bolger, announced a housing policy based on the state retreating and the free market leading housing provision. National Party policies included a proposed restructuring of the Housing Corporation and providing a new welfare benefit (the Accommodation Supplement) for renters and homeowners. As noted by Simon Campbell in his master's thesis on the restructuring of New Zealand housing policy between 1990–1998: 'The words "choice" and "fair" were used several times in the [National Party's] policy document, and the

¹³² Davey and Kearns, 'Special needs versus the "level playing-field": Recent developments in housing policy for Indigenous people in New Zealand', p. 77

¹³³ Alex McKenzie, *Social Assistance Chronology 1844 to 2022*, Wellington: Ministry of Social Development, 2022, <https://www.msd.govt.nz/about-msd-and-our-work/about-msd/history/social-assistance-chronology-programme-history.html>, 182 (accessed 30 November 2022)

¹³⁴ Mark Derby, 'Ngā take Māori – government policy and Māori - Māori renaissance, 1970s to 2000s', *Te Ara - the Encyclopedia of New Zealand*, <http://www.TeAra.govt.nz/en/zoomify/34395/iwi-transition-agency> (accessed 6 December 2022)

¹³⁵ New Zealand Business Roundtable, 'Housing policy: Some broader perspectives', 1991, p. 39

¹³⁶ Douglas, *Fading expectations: The crisis in Māori housing: a report for the Board of Maori Affairs*, p. 58

¹³⁷ New Zealand Business Roundtable, 'Housing policy: Some broader perspectives', 1991, p. 39

¹³⁸ Mark Derby, 'Ngā take Māori – government policy and Māori - Māori renaissance, 1970s to 2000s', *Te Ara - the Encyclopedia of New Zealand*, <http://www.TeAra.govt.nz/en/zoomify/34395/iwi-transition-agency> (accessed 5 December 2022)

concept of efficiency was emphasised without using the actual word'.¹³⁹ Housing policy was just one component of the National Party's intention to extend Labour's economic reforms into the area of welfare and social policy.¹⁴⁰ However, as Laurence Murphy and Dorothy Urlich Cloher argued in 1995, 'relatively progressive housing policies, developed in the 1980s ... failed to address the housing problems of Māori and ... the recent reliance on "market" mechanisms to meet housing needs is likely to exacerbate problems of housing access and cost'.¹⁴¹

When it was elected in 1990, the Fourth National Government used the country's economic circumstances to justify policy changes in much the same way as the Fourth Labour Government had done before them, reducing government spending through changes in social policy rather than raising taxes.¹⁴² Historian Michael Belgrave has argued that under the National Government's 1991 budget: 'Low-income New Zealanders were to pay for what National demonised as decades of growth-stifling and wasteful state spending'.¹⁴³ To the relief of some, in the context of these changes, the National Government 'became an enthusiastic supporter of the settlement of historical claims through negotiation'.¹⁴⁴

During the 1990s, the National Government continued the 'pattern of change' of its predecessor, the Fourth Labour Government. This was aligned with a more general shift among OECD countries towards more deregulation, which in terms of housing policy meant providing an Accommodation Supplement rather than building more social housing.¹⁴⁵ This shift was signalled by the World Bank in 1993 in its statement about the new housing direction for the Bank and borrowers, which advocated

the reform of government policies, institutions, and regulations to enable housing markets to work more efficiently, and a move away from the limited, project-based support of public agencies engaged in the production and financing of housing. Governments are advised to abandon their earlier role as producers of housing and to adopt an enabling role of managing the housing sector as a whole. This fundamental shift is necessary if housing problems are to be

¹³⁹ Campbell, 'Restructuring NZ housing policy 1990–1998', p. 49

¹⁴⁰ Laurence Murphy, 'Neoliberal social housing policies, market logics and social rented housing reforms in New Zealand', *International Journal of Housing Policy*, 20, 2, 2020, p. 237; Jane Kelsey, *The New Zealand experiment*, Auckland: Auckland University Press: Bridget Williams Books, 1997, p. 120

¹⁴¹ Murphy and Urlich Cloher, 'Economic restructuring, housing policy and Māori housing in Northland, New Zealand', p. 325

¹⁴² Campbell, 'Restructuring NZ housing policy 1990–1998', pp. 17–18

¹⁴³ Michael Belgrave, 'The ghosts of budgets past haunt New Zealand's shot at economic recovery', 12 May 2020. *The Conversation*, <https://theconversation.com/the-ghosts-of-budgets-past-haunt-new-zealands-shot-at-economic-recovery-138290> (accessed 15 February 2022)

¹⁴⁴ Belgrave, 'Beyond the Treaty of Waitangi: Māori tribal aspirations in an era of reform, 1984–2014', p. 202

¹⁴⁵ Thorns, 'The remaking of housing policy: The New Zealand housing strategy for the 21st century', p. 22

addressed at a scale commensurate with their magnitude-to improve substantially the housing conditions of the poor-and if the housing sector is to be managed as a major economic sector.¹⁴⁶

In 1990, National announced sweeping social policy reform in its 'Economic and Social initiative'.¹⁴⁷ Public policy academic Jonathan Boston described the reforms the government announced over 1990–1991 as 'one of the most radical series of social policy changes and cutbacks – in terms of their scope, content and distributional impact'.¹⁴⁸ As promised before the election, the government replaced the existing forms of housing assistance with social assistance through the Accommodation Supplement. The central government agency responsible for housing, the Housing Corporation, was also restructured.¹⁴⁹ The 1991 Statement of Government Policy on Housing and Accommodation stated:

Those wanting to buy a home who qualify for assistance will not be restricted to having a mortgage with the Housing Corporation or Iwi Transition Agency. At the moment these agencies are the only lenders offering home-ownership assistance to low-income and beneficiary households. Families receiving the Accommodation Supplement will be able to use the money to help with home-ownership costs regardless of who the lender is.¹⁵⁰

Campbell described the delivery of housing assistance separately by the Housing Corporation and the Department of Māori Affairs, and social assistance by the Department of Social Welfare as uncoordinated, fragmented, inequitable, and inefficient. Varying levels of support were seen as creating horizontal inequity, whereby households in the same circumstances received different types of support.¹⁵¹ Laurence Murphy stated that these changes were part of the government's economic agenda that privileged profit, government debt reduction and private market provision, with its associated retreat from home ownership support.¹⁵²

The National Government was able to implement changes in the housing sector because it largely ignored the housing policy critiques from organisations and individuals not affiliated with, directed by, or funded through the government. In addition, *Ka Awatea*, the 1991 report to the Minister of Māori Affairs made no mention of housing. Organisations and individuals outside of government, however, continued to resist the reframing of housing policy.¹⁵³ Restructuring of the main agencies with housing

¹⁴⁶ Stephen K. Mayo and Shlomo Angel, *Housing enabling markets to work, with technical supplements*. Washington, D.C.: The World Bank, 1993, p. 1

¹⁴⁷ Campbell, 'Restructuring NZ housing policy 1990–1998', p. 18

¹⁴⁸ Jonathan Boston, 'Reshaping Social Policy in New Zealand', *Fiscal Studies*, 14, 3, 1993, p. 64

¹⁴⁹ Campbell, 'Restructuring NZ housing policy 1990–1998', p. 2

¹⁵⁰ John Luxton, 'Housing and accommodation. Accommodation assistance. A Statement of Government Policy on Housing and Accommodation', Wellington: Housing Corporation, 1991, p. 15

¹⁵¹ Campbell, 'Restructuring NZ housing policy 1990–1998', p. 51

¹⁵² Laurence Murphy, 'A profitable housing policy? The privatization of the New Zealand Government's residential mortgage portfolio', *Regional Studies*, 34, 4, 2000, pp. 395–6

¹⁵³ Campbell, 'Restructuring NZ housing policy 1990–1998', p. 2, p. 13

responsibilities also mitigated against critiques from those opposed to the housing reforms and the political influence of non-government organisations.¹⁵⁴ According to Campbell:

This institutional rearrangement affected the politics of the housing policy field, facilitating the entrenchment of the new policy. Attempts by critics to derail the implementation process proved fruitless, as the Government changed the rules of engagement or launched pre-emptive strikes when it could see issues would generate substantial public support. Despite this, most critics of the new direction in housing policy have consistently opposed the principles behind it, even if they have had to work within the new framework on a day-to-day basis.¹⁵⁵

At the same time, the rise in the influence of government organisations, such as Treasury, became self-reinforcing in housing policy while the link of housing with welfare left the government open to public blame for any policy problems.¹⁵⁶ The first round of rent increases for state tenants was in October 1991, with a second round in October 1992. Social policy researchers Charles Waldegrave, Catherine Love, and Shane Stuart argued that Housing New Zealand's commercial goals increased urban to rural migration.¹⁵⁷ As Williams put it, 'Urban Māori from the North – especially those who were culturally motivated – had to decide whether to live in over-crowded and expensive housing in Auckland, or overcrowded housing in Northland'.¹⁵⁸ Moving 'back home' did not mean that Māori would be well-housed. As the Waitangi Tribunal reported in its 1997 *Muriwhenua Land Report (Wai 45)*:

Maori living in the Far North district reported average incomes of \$12,100 for 1990 to 1991, only 79 percent of the Maori average, and 64 percent of that for all New Zealanders... and, while they were more likely to own their own homes (and, if they were renting, their housing was cheaper than the national average), they appear as likely to be living with other families or in temporary accommodation as all Maori (and more so than all New Zealanders).¹⁵⁹

In 1993, the new Ministry of Housing became an important source of the Crown's housing policy advice, in line with the Housing Restructuring Act.¹⁶⁰ During the same year, the responsibility for Māori housing was passed to the Housing Corporation.¹⁶¹ Campbell argued that the restructuring of the public sector in the 1980s left Treasury in an influential position.¹⁶² At the same time, the National Government agreed to hand some degree of control and ownership of housing resources to iwi. This saw an

¹⁵⁴ Campbell, 'Restructuring NZ housing policy 1990–1998', p. 1, p. 3

¹⁵⁵ Campbell, 'Restructuring NZ housing policy 1990–1998', p. 12

¹⁵⁶ Campbell, 'Restructuring NZ housing policy 1990–1998', p. 13

¹⁵⁷ Charles Waldegrave, Catherine Love, and Shane Stuart, 'Urban Māori responses to changes in state housing provision', *Social Policy Journal of New Zealand*, 14, 2000, p. 2

¹⁵⁸ Williams, 'Māori counter-migration and housing, 1981–2013: Auckland and Northland', p. 56

¹⁵⁹ Waitangi Tribunal, *Muriwhenua Land Report (Wai 45)*. Wellington: GP Publications, 1997, p. 383

¹⁶⁰ Thorns, 'The remaking of housing policy: The New Zealand housing strategy for the 21st century', p. 22

¹⁶¹ Waldegrave, King, Walker, and Fitzgerald, 'Māori housing experiences: Emerging trends and issues', p. 12

¹⁶² Campbell, 'Restructuring NZ housing policy 1990–1998: an institutional analysis', p. 2

expansion of papakāinga schemes, discussed below.¹⁶³ However, Māori and iwi organisations providing housing services in their communities had noted the potential of Treasury to disrupt government promises to them. As one such organisation stated:

Government say we are going to support whānau, hapū, iwi/Māori address their own housing needs and we're going to increase the opportunities and options in housing. They say that and then on the other hand, they have a whole lot of other policies, which are Treasury and fiscally driven, which actually totally undermine that. So the Crown needs us, as a provider, to actually keep them honest about the fact that their two agencies [Te Puni Kōkiri and Treasury] contradict one another.¹⁶⁴

In 1998, Te Puni Kōkiri conducted a review of the Ministry of Housing in accordance with a Monitoring Agreement between the two Ministries.¹⁶⁵ This agreement and accompanying review were aligned with Te Puni Kōkiri's role of monitoring Government service delivery to Māori.¹⁶⁶ The Ministry of Housing had two key functions: policy advice and residential tenancy services. The review found that the Ministry:

- had no overall strategy for considering Māori housing issues in its core work
- lacked business planning and reporting mechanisms for Māori housing
- had made limited progress on investigating priorities in Māori housing
- had undertaken limited data collection and analysis of Māori housing needs
- had provided little formal training to staff on Māori housing issues
- had no evaluation strategy or methodology for evaluating the effectiveness of its services for Māori.

The review concluded 'that overall the Ministry of Housing has made limited formal efforts to consider Māori housing issues'.¹⁶⁷ The Ministry did not have the capacity to undertake research or provide policy advice about housing affordability (or the lack of it) for Māori at a time when it was known that Māori

¹⁶³ Ben Schrader, 'Māori housing – te noho whare - New housing schemes', *Te Ara - the Encyclopedia of New Zealand*, <http://www.TeAra.govt.nz/en/maori-housing-te-noho-whare/page-4> (accessed 7 December 2022)

¹⁶⁴ Kataraina Pipi, Fiona Cram, Vera Keefe-Ormsby, and Keitha Small, *Māori and Iwi provider success: A research report of interviews with successful Iwi and Māori providers and government agencies*, Wellington: Te Puni Kōkiri, 2003, pp. 66-67

¹⁶⁵ Te Puni Kōkiri, 'Review of the Ministry of Housing - Service delivery to Māori', Wellington: Ministry of Maori Development, 1999, p. 6

¹⁶⁶ Tau Henare, 'Progress towards closing social and economic gaps between Māori and non-Māori', New Zealand Government, 14 July 1998, www.beehive.govt.nz/release/progress-towards-closing-social-and-economic-gaps-between-maori-and-non-maori (accessed 22 January 2023); Controller and Auditor General, 'Third report for 1998: Chapter 4: Delivering effective outputs for Māori', Wellington: Controller and Auditor General, 1998, <https://oag.parliament.nz/1998/3rd-report-1998/part4.htm> (accessed 22 January 2023)

¹⁶⁷ Te Puni Kōkiri, 'Review of the Ministry of Housing - Service delivery to Māori', p. 6

were experiencing higher unemployment, lower educational achievement and poorer health.¹⁶⁸ As stated by Te Puni Kōkiri in their review report: ‘The Ministry of Housing need[ed] to develop further strategies and processes to ensure that consideration of Maori housing issues and needs [were] reflected in policy development, advice, and the provision of tenancy services’.¹⁶⁹

In November 1999, a centre-left coalition of the Labour and Alliance political parties formed a government, with the support of the Green Party on confidence and supply. In the decade following this election, the direction of housing policy in Aotearoa New Zealand both changed markedly and remained the same: some neoliberal policies implemented between 1984 and 1991 were wholly reversed, and some were left largely intact. Other entirely new housing programmes and policies were established; many influenced by the ‘Third-Way’ ideology that had become prominent in the latter part of the 1990s in the administrations of Bill Clinton in the United States, and Tony Blair in Britain. Housing Minister Mark Gosche is reported to have said, ‘The Coalition government was determined to make decency and affordability the hallmarks of its housing policy’.¹⁷⁰

The Labour-Alliance Coalition Government reversed many of the policies introduced by the Fourth National Government that had, in turn, built on the reforms begun by the Fourth Labour Government. During the election campaigning, the Labour Party pledged to return state house tenants to income related rents. The Housing Restructuring (Income Related Rents) Amendment Act 2000 did just this and also prevented the sale of more social housing stock (National had planned to sell a further 10,000 homes by 2002). The Act also removed any reference to profitability from Housing New Zealand’s principal objective.¹⁷¹ The reinstatement of income-related rents reversed the policy of full-market rents for state houses that had been introduced in July 1991.¹⁷² Elsewhere, however, the status quo stood unchallenged. The Accommodation Supplement (introduced in 1993), a policy concomitant with state house sales and market rents, remained in place.¹⁷³ In 2001, the Labour-Alliance Coalition Government formed the Housing New Zealand Corporation (see Table 5.2) bringing together the Housing Corporation, the Ministry of Social Policy’s housing division, and Community Housing (provider of

¹⁶⁸ Controller and Auditor General, ‘Third report for 1998: Chapter 4: Delivering effective outputs for Māori’, s. 4.001

¹⁶⁹ Te Puni Kōkiri, ‘Review of the Ministry of Housing - Service delivery to Māori’, p. 6

¹⁷⁰ Mark Gosche, ‘Affordability and decency hallmarks of Coalition housing policy’, New Zealand Government, 12 January 2000 (www.beehive.govt.nz/release/affordability-and-decency-hallmarks-coalition-housing-policy) (accessed 22 January 2023)

¹⁷¹ Laurence Murphy, ‘Reasserting the “social” in social rented housing: Politics, housing policy and housing reforms in New Zealand’, *International Journal of Urban and Regional Research*, 27, 1, 2003, p. 97

¹⁷² Ben Schrader, ‘State Housing’, *New Zealand Geographic*, 86, July-August 2007

¹⁷³ Child Poverty Action Group, ‘The Accommodation Supplement: The wrong tool to fix the house’, May 2019, p. 17, <https://www.cpag.org.nz/publications/accommodation-supplement-wrong-tool> (accessed 7 December 2022)

shelters and emergency housing).¹⁷⁴ This new agency was ‘given the task of picking up the legacy of the old Housing Corporation, which had begun to offer innovative, and community sensitive, non-market solutions to housing problems’.¹⁷⁵

The next section provides an overview of legislative changes from 1984–2007.

5.4 What legislative changes impacted on the ability of Māori to build on multiply-owned land?

This section provides an overview of the major Crown policy and legislation that impacted housing on Māori land. In particular, it addresses the implications of the Resource Management Act 1991, the Housing Restructuring Act 1992, Housing Assets Transfer Act 1993, Te Ture Whenua Māori Act 1993, and the Local Government Act 2002. As this section discusses, this legislation impacted Māori ability to build on Māori land by limiting or facilitating planning permission and affecting access to government loans.

The Resource Management Act 1991 (RMA) was passed with the purpose of promoting sustainable management of the country’s physical and natural resources.¹⁷⁶ Sustainable management was defined in relation to the provision of the economic, social, and cultural wellbeing of the current population and future generations. The RMA included the term ‘kaitiakitanga’, which was defined as ‘the exercise of guardianship by the tangata whenua of an area in accordance with tikanga Māori in relation to natural and physical resources; and includes the ethic of stewardship’.¹⁷⁷ The RMA is examined in more detail in the following paragraphs before we return to other legislation in this timeline.

Researcher and writer Merata Kawharu (Ngāti Whātua, Ngāpuhi) critiqued the use of the term ‘kaitiakitanga’ on the basis it was a relatively new term that emerged largely from Treaty claim processes the 1980s. She proposed that ‘mauri’ was a more familiar concept and, if it had been used, far more Māori would have commented during the passage of the Resource Management Bill. Instead,

¹⁷⁴ Joint NGO Submission, ‘Housing in New Zealand’, 2003, p. 13

¹⁷⁵ Murphy, ‘Reasserting the “social” in social rented housing: Politics, housing policy and housing reforms in New Zealand’, p. 98

¹⁷⁶ See Brigid Te Ao McCallum Livesey, ‘He Kāinga Hou ki te Hau Kāinga - Housing development on multiply-owned ancestral land in a high growth area of New Zealand’, MSc thesis, Erasmus University Rotterdam, 2010, p. 12

¹⁷⁷ David V. Williams, ‘Ko Aotearoa tēnei: Law and policy affecting Māori culture and identity’, *International Journal of Cultural Property*, 20, 2013, p. 317

only around 50 of the 1325 submissions on the Bill were from Māori.¹⁷⁸ In addition, Kawharu queried the interpretation of kaitiakitanga by ‘non-tangata whenua’, including the Crown:

It is not the function of law to provide concrete definitions. Courts and administrators of the Act should then be guided by authoritative tangata whenua interpretations ... when legislating for customary values, it is difficult to include only one aspect of the socio-environmental philosophy and make conclusions without understanding the holistic context within which they find meaning.¹⁷⁹

After the Resource Management Bill was passed into law the classification of land use by local government authorities had to take into account the RMA and their District Plan.¹⁸⁰ The inclusion of papakāinga housing in District Plans began in the initial stages of the Papakāinga Housing Loan scheme in the mid-1980s (described in more detail later in this chapter). In 2011, the Auditor-General noted that District Plans and planning restrictions continued to limit papakāinga housing and make resource consent applications expensive.¹⁸¹ Currently in the Western Bay of Plenty, for example, one main dwelling and one minor dwelling for each land title is a permitted activity while papakāinga developments are a controlled activity. Resource consent is required for all developments except permitted activities.¹⁸² For example, Whangārei District Council’s papakāinga plan change meant that from February 2018 papakāinga developments were permitted activities.¹⁸³

Although the RMA has provided a strong mandate for the protection of Māori lands and resources, Professor Margaret Mutu (Ngāti Kahu, Te Rarawa, Ngāti Whātua) has described it as difficult to enact in the absence of strong Māori representation in local government.¹⁸⁴ In the Local Electoral Act 2001, the Crown left it to the discretion of local bodies whether or not they would create Māori wards, with

¹⁷⁸ Merata Kawharu, ‘Dimensions of Kaitiakitanga. An investigation of a customary Maori principle of resource management’, PhD thesis in Social Anthropology, University of Oxford, 1998, p. 18

¹⁷⁹ Kawharu, ‘Dimensions of Kaitiakitanga. An investigation of a customary Maori principle of resource management’, p. 19; Law Commission. *Māori custom and the values in New Zealand Law*. Study Paper 9. Wellington: Law Commission Te Aka Matua o te Ture, 2001, p. 40, para. 163

¹⁸⁰ Land use activities are classified into four classes: permitted (no resource consent required); controlled (resource consent required but must be granted, with conditions relating to specific matters if required eg. stormwater); restricted discretionary (resource consent required but only specific matters can be considered); discretionary (resource consent required and all matters may be considered)

¹⁸¹ Controller and 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’, 2011, p. 3

¹⁸² Western Bay of Plenty District Council, ‘Dwellings on multiple owned Māori land’, 2023 (www.westernbay.govt.nz/property-rates-and-building/district-plan-and-resource-consents/resource-consents/common-resource-consent-planning/dwellings-on-multiple-owned) (accessed 22 January 2023)

¹⁸³ 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*, Wellington: Bridget Williams Books, 2022, pp. 137-150

¹⁸⁴ Margaret Mutu, ‘Māori issues’, *The Contemporary Pacific*, Spring, 2002, p. 223

the Local Government Act 2002 encouraging local bodies ‘to recognise and respect the Crown’s responsibility to take appropriate account of the principles of the Treaty of Waitangi’. However, by 2004, only the Bay of Plenty Regional Council had introduced Māori seats, elected by voters on the Māori roll. The Waikato Regional Council introduced two Māori wards in 2013. Proposals by other local bodies to follow suit were often overturned by voters, up until the Local Electoral (Māori Wards and Māori Constituencies) Amendment Act 2021 was passed.¹⁸⁵

The Waitangi Tribunal has inquired into and made recommendations about the RMA in the decades following its passage. In its 1995 *Ngāi Tahu Ancillary Claims Report (Wai 27)*, the Waitangi Tribunal found that the RMA ‘provides for the principles of the Treaty of Waitangi to be taken into account by all persons exercising functions and powers under that Act’.¹⁸⁶ However, in its *Ngawha Geothermal Resource Report (Wai 304)* the Tribunal drew attention to section 8 of the RMA and expressed strong reservations about the use of the words ‘take into account’, stating

It is difficult to escape the conclusion that the Crown in promoting this legislation has been at pains to ensure that decision-makers are not required to act in conformity with, and apply, relevant Treaty principles. They may do so, but they are not obliged to do so. In this respect the legislation is fatally flawed.¹⁸⁷

The Tribunal recommended an amendment to the Resource Management Act 1991 to require that ‘all persons exercising functions and powers under it... shall act in a manner that is consistent with the principles of the Treaty of Waitangi’.¹⁸⁸

In 2021, the Ministry for the Environment identified the RMA and ‘resource management’ references in Waitangi Tribunal reports, and subsequently included 27 reports in a collation of extracts.¹⁸⁹ The reports reflect on, for example, the intention of the RMA for Māori customary law to be taken into account in decision-making about resource management, the obligation of local authorities to act in ways consistent with Treaty principles, Māori rangatiratanga and mana whakahaere in resource management, and the Crown’s obligations to resource Māori participation in RMA processes.¹⁹⁰ These

¹⁸⁵ Rawiri Taonui, ‘Ngā māngai – Māori representation – Local body representation’, Te Ara – the Encyclopedia of New Zealand, 15 July 2016, <http://www.TeAra.govt.nz/en/nga-mangai-maori-representation/page-5> (accessed 22 January 2023)

¹⁸⁶ Waitangi Tribunal, *Ngai Tahu Ancillary Claims Report*. Wellington: GP Publications, 1995, p. 342

¹⁸⁷ Waitangi Tribunal, *The Ngawha Geothermal Resource Report 1993 (Wai 304)*. Wellington: GP Publications, 1993, p. 145

¹⁸⁸ Waitangi Tribunal, *The Ngawha Geothermal Resource Report 1993 (Wai 304)*, p. 147

¹⁸⁹ Ministry for the Environment, *Extracts from Waitangi Tribunal commentary, findings and recommendations on the Resource Management Act 1991*, Wellington: Ministry for the Environment, 2021, p. 6, pp. 180-182

¹⁹⁰ Ministry for the Environment. *Extracts from Waitangi Tribunal commentary, findings and recommendations on the Resource Management Act 1991*, p. 15

have implications for the responsiveness of local government to Māori housing aspirations. The Waitangi Tribunal recommended further actions that local authorities could take in order for them to give effect to the Treaty in their consideration of the RMA. For example, in the section on local government and rating in its 2019 report on Te Rohe Pōtae Claims, the Tribunal found:

The Crown is obliged to ensure that local authorities reflect Treaty principles. In failing to do so, the Crown is acting inconsistently with the principles of the Treaty of Waitangi, namely the principles of partnership, rangatiratanga, and equity and has breached its duty of active protection of Te Rohe Pōtae tino rangatiratanga.¹⁹¹

The Housing Restructuring Act 1992 introduced changes to housing administration and housing support. The Housing Corporation was abolished, and the delivery of housing services was separated from the responsibility for policy advice, with the Ministry of Housing taking over the latter and a new entity – Housing New Zealand – was established to manage public housing (mainly the state rental housing stock). Te Puni Kōkiri and the Ministry of Health’s public health officials expressed concerns about the negative impacts of this. The National Government, in turn, felt that its income support model was an adequate response to these concerns.¹⁹²

The Accommodation Supplement (introduced by the Social Security Amendment Act 1993) was delivered through the Department of Social Welfare (then, from October 1988 by Work and Income New Zealand). From within this new context of targeted income assistance support, the Accommodation Supplement was available to supplement state or private rental costs or mortgage costs for those meeting income and asset criteria.¹⁹³ While Māori wanting to build on their own land potentially met these criteria, their mortgage repayments were unlikely to be high enough to trigger the Accommodation Supplement, simply because the cost of their building site – their own land – had been minimal.¹⁹⁴ As described by Thorns: ‘The supplement went largely to those already on other benefits ... [and] the majority went to existing Housing New Zealand tenants as their rents moved upwards towards market rents’.¹⁹⁵

In 1993, the National Government enacted legislation to remove the government from mortgage lending. The involvement of the state in the mortgage market was seen as increasingly tenuous in the context of welfare restructuring and financial liberalisation. As most mortgagees were paying market

¹⁹¹ Waitangi Tribunal, *Te Mana Whatu Ahuru: Report on Te Rohe Pōtae Claims. Part IV*, Wellington: Pre-publication Version, 2019, pp. 139–40

¹⁹² Campbell, ‘Restructuring NZ housing policy 1990–1998: an institutional analysis’, p. 12

¹⁹³ Thorns, ‘The remaking of housing policy: The New Zealand housing strategy for the 21st century’, p. 22

¹⁹⁴ Kay Saville-Smith, personal communication, October 2022

¹⁹⁵ Thorns, ‘The remaking of housing policy: The New Zealand housing strategy for the 21st century’, p. 22

interest rates, the impact of the state's withdrawal from the mortgage market was viewed by the Crown as having minimal impact.¹⁹⁶ The Housing Assets Transfer Act 1993 provided for the transfer of Crown housing assets to the Housing Corporation of New Zealand. Under this Act, these 'housing assets' included mortgages, Crown land set aside for Māori housing, and subleases of land granted to the Crown under the Māori Housing Act 1935 or its 1938 Amendment. It also included land falling under Section 16 (agreement for sale) and Section 17 (licence to occupy) of the Housing Act 1955, and mortgages and other securities for monies lent by the Crown under the Housing Act 1955 or the Housing Corporation Act 1974. The repercussions for those who had received mortgage support because they had low incomes, and who were paying below market interest rates, did not seem to weigh heavily in the government's decision to generate funds from selling Housing Corporation and Māori Affairs mortgages.¹⁹⁷

A total of 27 tranches of mortgages were sold between the end of 1991 and the start of 1999, generating \$2.4 billion, or 12.6 per cent of all privatisation proceeds.¹⁹⁸ The number of mortgage providers increased as a result of the sales.¹⁹⁹ The first package of mortgages, valued at \$29.684 million in 1991, was sold to the TSB Bank Limited.²⁰⁰ The sale of the second package of mortgages (approximately one-third of the portfolio) to the Mortgage Corporation was a disaster for mortgagees.²⁰¹ The Mortgage Corporation charged higher interest rates than other lenders and penalised borrowers who refinanced elsewhere. Some were able to successfully challenge this penalty in the Disputes Tribunal, but others lost their cases. This may have resulted in decisions about a safer pair of hands for subsequent sales that would protect mortgagees from private equity firms. In 1994, the government's budget reduced Housing Corporation mortgage lending and announced the sale of another third of mortgages.²⁰² During the same year, this mortgage sales programme was challenged in the courts by a Māori woman who had obtained her mortgage from the Department of Māori Affairs in 1989. She argued that she and other Māori who had contracted with a Crown agent committed to Māori welfare were being forced to deal with a commercial entity. The woman, whose name was suppressed 'on cultural grounds', was described as a

¹⁹⁶ Murphy, 'A profitable housing policy?', p. 396

¹⁹⁷ Murphy, 'A profitable housing policy?', p. 396

¹⁹⁸ Murphy, 'A profitable housing policy?', p. 396

¹⁹⁹ DTZ New Zealand, 'Changes in the structure of the New Zealand housing market', Wellington: DTZ New Zealand, 2004, p. 4

²⁰⁰ The Treasury, 'Income from State Asset sales as at May 2014', May 2014, <https://www.treasury.govt.nz/information-and-services/government-finances/assets/income-state-asset-sales-may-2014> (accessed 6 December 2022)

²⁰¹ Campbell, 'Restructuring NZ housing policy 1990–1998: an institutional analysis', p. 54

²⁰² Campbell, 'Restructuring NZ housing policy 1990–1998: an institutional analysis', p. 65

‘Whangārei solo mother’ who argued that she would be more vulnerable if her Department of Māori Affairs Mortgage was transferred to the Housing Corporation.²⁰³ Jenni McManus reported,

When she appeared in the High Court at Whangarei earlier this year, the woman argued that she made a deliberate choice in September 1989 to accept a Maori Affairs Department mortgage, rather than dealing with the Housing Corp - largely because of the department's statutory obligation to promote the health, education and general social well-being of Māori.²⁰⁴

The judge saw merit in her case, saying ‘there may well be arguable causes of action in equity and public law’²⁰⁵ However, he dismissed the case as the woman had no legal representation and her pleadings were seen as inexpert.²⁰⁶ However, what she had predicted about her vulnerability transpired when 17,000 mortgages were transferred to Mortgage Corp.²⁰⁷

In 1998–1999, in the last two tranches of mortgage sales, WestpacTrust purchased \$338.5 million worth of mortgages that included Māori housing loans provided by Māori Affairs and the Housing Corporation.²⁰⁸ WestpacTrust has continued to provide mortgage finance to eligible Māori applicants wanting to build on Māori land. At the end of the sales programme, the Housing Corporation retained \$130 million of mortgages that were mostly the legacy of its own programmes and those of Māori Affairs to assist low-income Māori into homeownership. These included some Papakāinga Housing Scheme loans and Low Deposit Rural Lending scheme loans. These Māori mortgages proved the most difficult to sell.²⁰⁹ Although the Tainui Trust Board’s subsidiary the Waikato Raupatu Lands Trust wanted to purchase the mortgages following their 1995 Waitangi Tribunal settlement, the Labour Opposition was against this. Researchers Charles Waldegrave, Josh Reid and Michael Schraa noted that these mortgages were then sold to Westpac Trust.²¹⁰

Te Ture Whenua Māori Act (also known as the Māori Land Act) was enacted on 1 July 1993. Prior to the passage of the Act, partitioning land for housing sites, whereby people could gain separate title over

²⁰³ Jenni McManus, ‘Ms X challenge transfer of her mortgage’, *The Independent - New Zealand’s Business Weekly*, 14 October 1994, p. 6

²⁰⁴ McManus, ‘Ms X challenge transfer of her mortgage’, p. 6

²⁰⁵ McManus, ‘Ms X challenge transfer of her mortgage’, p. 6

²⁰⁶ Murphy, ‘A profitable housing policy? The privatization of the New Zealand Government’s residential mortgage portfolio’, p. 397

²⁰⁷ McManus, ‘Ms X challenge transfer of her mortgage’, p. 6

²⁰⁸ The Treasury, ‘Income from State Asset sales as at May 2014’, May 2014, <https://www.treasury.govt.nz/information-and-services/government-finances/assets/income-state-asset-sales-may-2014> (accessed 6 December 2022)

²⁰⁹ Murphy, ‘A profitable housing policy? The privatization of the New Zealand Government’s residential mortgage portfolio’, p. 397

²¹⁰ Charles Waldegrave, Josh Reid, and Michael Schraa, ‘Māori Home Ownership, 1991–2021’, 2022, draft, (Wai 2750), p. 24

a section and use it as security for mortgage finance, was a key cause of Māori land alienation.²¹¹ According to Judge Ashley McHugh, the Māori Land Court's experience was that partition often resulted in the sale or loss of ancestral land.²¹² Partitioning was also costly (between \$3,000 to \$4,000 in 1985) and frustrating when inevitable delays occurred.²¹³ There was also the possibility that when it was partitioned local councils would take some of this land for reserves.²¹⁴ In addition, Māori had found that their aspirations for housing through partitioning or subdivision could be hindered by local authorities' district schemes that imposed restrictions and or unaffordable costs, or by council rates that had left them indebted. For example, in October 1985, the *Northern Advocate* reported on the Whangārei County Council's planning officer's recommendation that Kathleen Pita's subdivision application be declined. Pita had applied to subdivide the ancestral land at Bland Bay that she shared with her four brothers into two lots, so she could build a house on the smaller lot. In providing evidence in support of the application, surveyor Trevor Shaw said that the subdivision of rural AC zoned land (that is, general rural coastal land) was justified under provision 3 of the Town and Country Planning Act 1977. The Whangārei County Council wanted the metal access road upgraded as part of the application in spite of the road already being used by the whānau who preferred it to be left in its existing state.²¹⁵

An alternative to partitioning and subdivision was vesting the land in a trust, where owners' shareholdings remained intact and cross-leasing arrangements were made so that people could build houses. The trust itself could also borrow money to build houses that it would then rent or sell.²¹⁶ A charge of mortgage could also be taken over a Māori Reserve under Section 25 of the Māori Housing Amendment Act, as had been done at Motutū for the provision of marae housing. The ability to distinguish between ownership and occupation (such as lease arrangements) was seen as a way of preserving land ownership rights while also providing those wishing to build a house access to occupation rights that would be secure and transferable. On the downside, shareholders could be alienated if they chose to forfeit their shares to facilitate practical occupation.²¹⁷

²¹¹ Douglas, *Fading expectations: The crisis in Māori housing: a report for the Board of Maori Affairs*, p. 58; Diane Buchanan, 'Papakāinga housing – A practical recognition of traditional Māori land aspirations. Ministry of Works and Development', 29 August 1986, pp. 2-3, R7760007, Archives NZ, Auckland

²¹² 'Seminar: Alternatives to partitioning multiply-owned land as a means of development' - Judge McHugh, p. 20

²¹³ 'Seminar: Alternatives to partitioning multiply-owned land as a means of development' - Judge McHugh, p. 20; 'Seminar: Alternatives to partitioning multiply-owned land as a means of development', p. 13

²¹⁴ 'Seminar: Alternatives to partitioning multiply-owned land as a means of development' - Judge McHugh, p. 20

²¹⁵ 'Maori land subdivision – "Typical European" remark offends', *Northern Advocate*, 31 October 1985, p. 20

²¹⁶ 'Seminar: Alternatives to partitioning multiply-owned land as a means of development', p. 14

²¹⁷ Asher and Naulls, *Maori land: Planning Paper No. 29*, p. 85

Aside from partitioning or subdivision of Māori land, other homeownership options included people buying out the other shareholders and then going through the Māori Land Court to change the status of the land to general title; buying a house on other general title land; or remaining in what could be substandard accommodation on their land.²¹⁸ Correspondence from Māori Affairs' Northland Office highlighted another option, namely, occupying a house on Māori land. These people were described in the correspondence as 'squatters (non-owners)' who were not eligible for rural housing repairs loans, but it is not clear whether they were living in someone else's home or had built their own home on their land without planning permission.²¹⁹

Te Ture Whenua Māori Act 1993 specified the types of Māori land, along with the variety of ways it could be administered (Māori Land Court trusts, Māori Incorporations, Māori reservations).²²⁰ For the first time, the objective of land legislation was the retention, rather than the alienation, of Māori freehold land. The Act also facilitated the utilisation of Māori land for the benefit of whānau and hapū. Professor Hirini Moko Mead (Ngāti Awa, Ngāti Tūwharetoa, and Tūhourangi) wrote: 'The purpose of the Act is to recognise that land is taonga tuku iho of special significance to Māori, to promote retention of the land in the hands of the owners and to assist the Māori people in achieving the implementation of these principles'.²²¹

The Māori Land Court was refocused and charged with protecting these dual kaupapa for all those with land interests.²²² Even so, the structures put in place to govern have been criticised by Te Puni Kōkiri for being cumbersome and lacking in commerciality and therefore potential impediments to land development because finance remained difficult to secure.²²³ The Te Ture Whenua Māori Act 1993 did, however, introduce occupation orders and licences to occupy to support people's aspirations to have homes on their whenua (see Figure 5.2 below for definitions). These were intended to give people the opportunity to build and live on land they had interests in, provided agreement was obtained from the

²¹⁸ Waldegrave, King, Walker, and Fitzgerald, 'Māori housing experiences: Emerging trends and issues', p. 75; Kay Saville-Smith, 'Lending on Multiply-owned Māori Land', Department of Building and Housing, Head Office, 1990, p. 2, Lending on Multiply-owned Maori Land Programme, R2191848, Archives NZ, Auckland

²¹⁹ 'Memo from Whangarei Maori Affairs Office to Head Office', 17 April 1974, Maori Housing - Quarterly Returns of Approved Housing Loans: rural housing policy, 1969–1976, R21658928, Archives NZ, Auckland

²²⁰ Hirini Moko Mead, *Tikanga Māori: Living by Māori values*, Wellington: Huia Publishers, 2003, p. 276

²²¹ Mead, *Tikanga Māori: Living by Māori values*, p. 276

²²² Waitangi Tribunal, *He kura whenua ka rokohanga: Report on claims about the reform of Te Ture Whenua Māori Act 1993*, Wellington: Legislation Direct, 2016, p. 1

²²³ Te Puni Kōkiri, 'Structures under Te Ture Whenua Māori Land Act 1993', 11 July 2014, *Te Puni Kōkiri - Ministry of Māori Affairs*



Figure 5.2: Forms of Māori land ownership, Far North District Council, 2017, pp. 14-15

other owners or the trustees or management committee managing the land.²²⁴ Partitioning the land remained an option, albeit one the Māori Land Court has been more reluctant to grant.²²⁵

In its 1995 Ngāi Tahu ancillary claims report, the Waitangi Tribunal provided an opinion about regional council implementation of Te Ture Whenua Māori Act 1993, stating

²²⁴ Jacinta Ruru, 'Papakāinga and whānau housing on Māori freehold land', in Elizabeth Toomey (ed.) *Revised legal frameworks for ownership and use of multi-dwelling units*, BRANZ: University of Canterbury funded by the Building Research Levy, 2017, pp. 134-135, p. 139

²²⁵ Section 135 of Te Ture Whenua Māori Act 1993 allows owners to apply to the Māori Land Court to change the status of their land to General land. If their application is granted their land no longer comes under the jurisdiction of the Court and can be sold without restriction. See Joshua Hitchcock, 'Financing Māori land development: The difficulties faced by owners of Māori land in accessing finance for development and a framework for a solution', *Auckland University Law Review*, 14, 2008, p. 219

Most district councils in more recent years have taken a greater interest in the housing of Maori, particularly on their own land. Several councils have provided for Maori residential sites on papakainga as a predominant use under the planning system.²²⁶

In 2002, this legislation was amended, with new sections 30A to 30J inserted after Section 30, which outlined the 'Māori Land Court's jurisdiction to advise on or determine representation of Māori groups'. These new sections were intended to give further authority to Māori Land Court judges to enable dispute resolution, including the appointment of a mediator.²²⁷ This increased the Māori Land Court's ability to mediate and settle disputes among shareholders about who was able to be housed and live on Māori land. As law professor Jacinta Ruru has noted, such disputes require a combination of legislative imperatives and tikanga Māori and so are well placed under the Court's purview.²²⁸

Jacinta Ruru and Anna Crosbie have also written about the extension of the Māori Land Court's jurisdiction in the 2002 amendment of Te Ture Whenua Māori Act 1993, and the potential for the Māori Land Court to order reasonable access to landlocked Māori land.²²⁹ Up to a third of Māori land could be landlocked (that is, have 'no reasonable access to it'²³⁰).²³¹ This land has been described as 'less attractive for settlement'.²³² The landlocking may have occurred in the nineteenth century, for example,

The capacity to benefit from the reservation of the small 300-acre Koputara block, for example, had been lost as early as 1896 when it became landlocked and difficult to access, though the incentive to do so diminished when the lake which the reserve adjoined was drained to enhance the other surrounding properties.²³³

Landlocking has also occurred when land has been 'surrounded by the Tararua Forest Park',²³⁴ landlocked by an airport,²³⁵ or 'surrounded by repeated partitions and sales', leaving even large land parcels uneconomic and possibly saddled with surveying debts.²³⁶ Those wishing to build may not be

²²⁶ Waitangi Tribunal, *Ngai Tahu Ancillary Claims Report*. Wellington: GP Publications, 1995, p. 342

²²⁷ Te Ture Whenua Maori Act 1993 - Maori Land Act 1993, Section 30

²²⁸ Ruru, 'Papakainga and whānau housing on Māori freehold land', p. 136

²²⁹ Jacinta Ruru and Anna Crosbie, 'The key to unlocking landlocked Maori land: the extension of the Maori Land Court's jurisdiction', *Canterbury Law Review*, 10, 2004, p. 312

²³⁰ Te Ture Whenua Māori Act 1993, s 326A

²³¹ Controller and Auditor-General, 'Māori land administration: Client service performance of the Māori Land Court Unit and the Māori Trustee', p. 28

²³² Waitangi Tribunal, *Te Mana Whatu Ahuru. Report on Te Rohe Pōtae claims. Pre-publication version. Part III (Wai 898)*. Wellington: Waitangi Tribunal, 2019, p. 136

²³³ Robyn Anderson, 'Porirua ki Manawatū inquiry: Historical issues scoping report for hapū and iwi broadly associated with Ngāti Raukawa', (Wai 2200, #A128), 2014, p. 55

²³⁴ Woodley, 'Porirua ki Manawatū Inquiry District: Local government issues report', p. 728

²³⁵ Waitangi Tribunal, *Tauranga Moana 1886–2006. Report on the post-raupatu claims*, Vol. 1, p. 256

²³⁶ Waitangi Tribunal, *Papatuanuku (Papaahurewa/Papauenoko) and land ownership: Māori land alienation and Māori land and title administration in the central North Island. Part III*. Wellington: Waitangi Tribunal, 2013, p. 615

able to obtain building permits and services to their block may be very limited.²³⁷ The ability of the Māori Land Court to order access to landlocked Māori land is a positive step, but will not end the other problems for owners of undeveloped Māori land. As Ruru and Crosbie conclude:

By giving the Maori Land Court jurisdiction in this area, Parliament has affirmed the Court's role in promoting Maori ownership and its specialist understanding of the particular issues involved when dealing with Maori land. The Maori Land Court is no longer limited in being able to order access - roadways - alongside the given consent of neighbouring landowners. Now it can order reasonable access in a like manner to that of the High Court.²³⁸

The Local Government Act 2002 sets out the responsibilities of local government. Key planning documents created under the Local Government Act include Community Outcomes (a set of aspirations determined through consultation with the community), and Long-Term Council Community Plans that aim to balance the aspirations of the current community with the needs of future generations and identified strategy and funding to achieve agreed goals. Section 4 of the Act includes specific principles and requirements for councils, which are intended to promote Māori participation in decision-making processes. As described in 2002 by housing and policy researchers Bev James, Kay Saville-Smith, Ruth Fraser, and Kim Workman:

Local authorities ... are about to face profound new challenges in the evolution of their relationships with tangata whenua. It is clear that when the Local Government Bill is enacted it will require local and regional authorities to maintain and improve opportunities for Māori to contribute to local government decision-making processes and involve iwi and Māori across the full range of local government functions. This is a major departure from the current obligations on councils.²³⁹

As discussed earlier in this report, local governments have levied property taxes, known as 'rates' since the late nineteenth century. The Local Government Act required councils to develop policies regarding the reduction or postponement of payment of rates on Māori land, but did not require that these policies provide rates relief.²⁴⁰ The Local Government Act 2002 left decision-making about Māori representation and consultation processes, decisions about land zoning and rating, and the inclusion of papakāinga provisions in District Plans to the discretion of local government authorities. This has meant

²³⁷ Woodley, 'Porirua ki Manawatū Inquiry District: Local government issues report', p. 615

²³⁸ Ruru and Crosbie, 'The key to unlocking landlocked Maori land: the extension of the Maori Land Court's jurisdiction', p. 328.

²³⁹ Bev James, Kay Saville-Smith, Ruth Fraser, and Kim Workman, 'Local government relationships with Māori – Ngā hono i waenganui i ngā tari kāwanatanga ā-rohe me te Māori', Wellington: Local Government New Zealand and Te Puni Kōkiri, 2002, p. 11

²⁴⁰ Livesey, 'He Kāinga Hou ki te Hau Kāinga - Housing development on multiply-owned ancestral land in a high growth area of New Zealand', p. 13

that some councils, for example Western Bay of Plenty District Council, have been early adopters of changes to facilitate the engagement of Māori in local government and the building of papakāinga housing. The majority of regional and district councils have, however, been more reticent in their responsiveness to Māori aspirations to participate in decision-making and be housed on their own land.²⁴¹

The Building Act 2004 came into effect at the end of March 2005 with the repealing of the Building Act 1991. This Act set out rules for construction, demolition, maintenance, and alteration of new and existing buildings. Under the Act a building consent is always needed, even if resource consent is not.²⁴² A set of principles is outlined in section 4 of this Act, ‘to be applied in performing functions or duties, or exercising powers, under this Act’.²⁴³ These principles include:

(d) the importance of recognising any special traditional and cultural aspects of the intended use of a building:

(l) the need to facilitate the preservation of buildings of significant cultural, historical, or heritage value:

The Western Bay of Plenty District Council has outlined its building consent requirements for those wanting to build on Māori land,

Section 44 of the Building Act 2004 requires owners of land to apply for a building consent before undertaking any building work on it. Council requires applicants to prove that they have the right to build on this land before processing any building consent application for it ... With multiple owned Māori freehold land... being an owner is not enough to prove you have a right to build on the land.²⁴⁴

Those applying for building consent on Māori land also have to supply their Licence to Occupy and a copy of the Trust Deed if there is a Trust administering the land they want to build on.²⁴⁵ In addition, local authorities may issue development contribution notices (section 36 of this Act), requiring owners to pay for infrastructure costs associated with their building development.²⁴⁶ A project manager

²⁴¹ Karen Webster, and Christine Cheyne, ‘Creating Treaty-based local governance in New Zealand: Māori and Pākehā views’, *Kōtuitui: New Zealand Journal of Social Sciences Online*, 12, 2, 2017, pp. 147-151

²⁴² Ruru, ‘Papakāinga and whānau housing on Māori freehold land’, p. 143

²⁴³ Building Act 2004, s4

²⁴⁴ Western Bay of Plenty District Council, ‘Building a housing on Māori land’. 2023. *Western Bay of Plenty District Council*. 14 March 2023. <https://www.westernbay.govt.nz/property-rates-and-building/building-consents/other-building-projects/building-on-maori-land>

²⁴⁵ Western Bay of Plenty District Council, ‘Building a housing on Māori land’. 2023. *Western Bay of Plenty District Council*. 14 March 2023. <https://www.westernbay.govt.nz/property-rates-and-building/building-consents/other-building-projects/building-on-maori-land>

²⁴⁶ Ruru, ‘Papakāinga and whānau housing on Māori freehold land’, p. 143

interviewed by Livesey said that local council development contributions were over one third of the cost of preparing a block of general land for sale for housing development. The project managers developing Māori land said their infrastructure costs were likely to reflect a mix of council and self-provision, so were potentially less even if they did not have the advantage of economies of scale that developers of general land might have.²⁴⁷ Even so, these costs, alongside Māori land potentially not being zoned for housing, have been barriers to housing development on Māori land.²⁴⁸ Some Councils now have flexibility built into their plans so they can do individual project assessments.²⁴⁹

After the Building Act 2004 passed, the Ministry of Housing was expanded as a one-stop-shop and renamed the Department of Building and Housing (until July 2012 when it merged with the new Ministry of Business Innovation and Employment).²⁵⁰ This was part of the government restructuring ‘aimed at improving and streamlining building and housing services for the public’. The Department was made responsible for the administration of the Building Act 2004, the Weathertight Resolution Services Act 2002, Retirement Villages legislation, and a range of other legislation and regulations. It was also charged with providing advice to government about dispute resolution and regulatory responsibilities. Housing New Zealand Corporation retained its responsibilities following the restructuring.²⁵¹

In summary, the passing of the Resource Management Act 1991 to replace the Town and Country Planning Act 1977 provided a strong, but difficult to implement, mandate for tikanga Māori guiding the protection of Māori land. The difficulties have been attributed to the lack of Māori representation on local authorities.²⁵² Te Ture Whenua Māori Act 1993 then recognised the special significance of Māori land and promoted its retention by owners, as well as facilitating ‘the occupation, development, and utilisation of that land for the benefit of owners, their whānau and their hapū’.²⁵³ While this may have set the context for a more secure lending environment for those wanting to build on their own whenua, the divestment by the Crown of its mortgage lending role was a further hurdle for existing and potential

²⁴⁷ Livesey, ‘He Kāinga Hou ki te Hau Kāinga - Housing development on multiply-owned ancestral land in a high growth area of New Zealand’, p. 56

²⁴⁸ Ruru, ‘Papakāinga and whānau housing on Māori freehold land’, p. 143

²⁴⁹ Kake, ‘Ngā Uri o Te Aurere Pou Whānau Trust Papakāinga, Mangakāhia’, p. 143

²⁵⁰ Controller and Auditor-General. *Department of Building and Housing*. 20 June 2012, <https://oag.parliament.nz/2012/efficiency-stories/collaboration/department-of-building-and-housing> (accessed 16 March 2023)

²⁵¹ Steve Maharey, *New Department of Building and Housing*. 1 July 2004, <https://www.beehive.govt.nz/release/new-department-building-and-housing> (accessed 16 March 2023)

²⁵² Te Puni Kōkiri, *Māori and council engagement under the Resource Management Act 1991*, Wellington: Te Puni Kōkiri, 2006, p. 7; Webster and Cheyne, ‘Creating Treaty-based local governance in New Zealand: Māori and Pākehā views’, p. 151

²⁵³ Te Ture Whenua Māori Act 1993, preamble

Māori homeowners. Commercial banks were often reluctant to lend for housing on Māori land, with Māori financial hardship also making many less than attractive mortgagees.²⁵⁴ While the Local Government Act 2002 called on local authorities to promote Māori participation, there was no mandate within the Act for relief from the rates imposed by local authorities on Māori land. These rates and the debts incurred from overdue rates were barriers to using the land for housing.²⁵⁵

5.5 What adverse health impacts for Māori, if any, were linked to inadequate housing and lack of access to housing assistance on Māori land?

This section provides an overview of holistic Māori health and wellbeing as it was defined and described by Māori during this time period. These holistic Māori health models provide a context for understanding the adverse impacts on Māori that were linked to inadequate housing and a lack of access to housing assistance for homes on ancestral land. These impacts included, but were not confined to, people's poor physical health caused by poor quality, cold or damp, or overcrowded homes. This section addresses the connections between housing and health for Māori generally. It was difficult to find sources that made specific mention of health and housing on Māori land.

In 1985, Mason Durie wrote about a 'renewed interest in Māori health' on the marae and in the academic literature, in which Māori health was more than just physical health. He proposed a holistic model of Māori health, *He Whare Tapa Whā*, that extended the western perspective on health to encompass spiritual (te taha wairua), physical (te taha tinana), mental (te taha hinengaro) and whānau wellbeing (te taha whānau). Durie wrote that te taha wairua included the strength Māori drew from their relationship with the land and argued: 'Without access to traditional or tribal land, many Māori elders would diagnose poor health, and the health history of Māori people would confirm the central importance of land to health'.²⁵⁶

The 1988 Royal Commission on Social Policy similarly described whanaungatanga (sense of family connection); taonga tuku iho (cultural heritage); te ao tūroa (the physical environment), and tūrangawaewae (source of identity) as pre-requisites for health.²⁵⁷ Māori land was then recognised as taonga tuku iho of special significance in the Ture Whenua Māori Act 1993, further cementing the

²⁵⁴ Controller and 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', p. 77; Hitchcock, 'Financing Māori land development: The difficulties faced by owners of Māori land in accessing finance for development and a framework for a solution', pp. 218-219

²⁵⁵ Ruru, 'Papakāinga and whānau housing on Māori freehold land', p. 159

²⁵⁶ Mason Durie, 'A Maori perspective of health', *Social Science & Medicine*, 20, 5, 1985, p. 483

²⁵⁷ Royal Commission on Social Policy, *The April report, Volume I. New Zealand today*, Wellington: Royal Commission on Social Policy - Te Kōmihana a te Karauna mō ngā Āhuatanga-ā-Iwi, 1988, pp. 297-298

importance of the land – its retention and its maintenance – to Māori health and wellbeing.²⁵⁸ In 1994, participants at *Te Ara Ahu Whakamua*, the Māori Health Decade hui, extended the list of prerequisites for Māori health to include aspects sourced from people's connection with their tūrangawaewae: a sense of identity, control of their destiny, a voice that is heard, and self-esteem, confidence and pride.²⁵⁹

Health surveys, however, still generally reported on the relationship between housing quality and physical health. For example, in a 1988 *Northern Advocate* article about housing conditions for predominantly Māori rural whānau in Northland, Dr David Sloan (the local medical officer) discussed the adverse health impacts resulting from inadequate housing. Sloan stated that he had seen 'many instances of large families in overcrowded conditions with infectious disease, intestinal infections and colds'. According to this article, Sloan's observations 'echoed the [National Housing] commission's findings on the health problems which result from poor housing'.²⁶⁰ This article also quoted the Commission's chairperson, Ewing Robertson, who said, 'common complaints linked to poor housing included asthma, chronic ear, nose, throat and chest ailments'.²⁶¹

In 1988, Eru Pōmare and Gail de Boer made a strong argument for Māori social, cultural and economic disadvantage as a determinant of Māori health.²⁶² This was in line with international developments, and was subsequently discussed in the 1990s by the National Health and Disability Services Committee and the Ministry of Health.²⁶³ In 1995, at the establishment of Te Ohu Rata ō Aotearoa (the Māori Medical Practitioners Association), 'there were reminders from kuia and koroua that Māori wellbeing was the result of a complex set of relationships that included social, economic, political, cultural and spiritual factors'.²⁶⁴ In 2002, the Director-General of Health, Dr Karen Poutasi, identified health inequalities as a 'major public health problem'.²⁶⁵ Central to this was the consideration of the determinants of health and wellness, and the role that sectors other than health (such as housing and education) played in

²⁵⁸ Mead, *Tikanga Māori: Living by Māori values*, p. 276

²⁵⁹ Te Puni Kōkiri, 'Te Ara Ahu Whakamua - Proceedings of the Māori Health Decade Hui, Rotorua March 1994', Wellington: Ministry of Maori Development, 1994, pp. 40-41

²⁶⁰ 'Third World conditions for thousands', *Northern Advocate*, 18 March 1988

²⁶¹ 'Third World conditions for thousands', *Northern Advocate*, 18 March 1988

²⁶² Eru Pōmare and Gail M. de Boer, *Hauora: Māori standards of health. A study of the years 1970–1984*, Wellington: Department of Health, 1988, p. 47

²⁶³ Philippa Howden-Chapman and Fiona Cram, *Social, economic and cultural determinants of health*, Wellington: National Health and Disability Services Committee, 1997; National Health Committee, *The social, cultural and economic determinants of health in New Zealand: Action to improve health*. Wellington: National Health Committee, 1998; Ministry of Health, *Reducing inequalities in health*, Wellington: Ministry of Health, 2002

²⁶⁴ Eru Pōmare, Vera Keefe-Ormsby, Cliff Ormsby, Neil Pearce, Papaarangi Reid, Bridget Robson, Naina Watene-Hayden, *Hauora III: Māori standards of health*, Wellington: Te Rōpū Rangahau Hauora a Eru Pomare, 1995, p. 26

²⁶⁵ Ministry of Health, *Reducing inequalities in health*, p. iii

facilitating population health and reducing health disparities.²⁶⁶ ‘Some determinants are close to the individual (such as biological or lifestyle factors), while others are more distant (social, cultural, and economic factors) and their effect is mediated through closer factors’.²⁶⁷ Māori models of health, alongside public health models that considered the social and economic determinants of health, provided a platform for health and housing providers, researchers and for politicians to strengthen their advocacy for actions to alleviate poor housing conditions as they were bad for people’s health.²⁶⁸

Even so, the Crown persisted with a narrow view of both housing and health. In 1999, the Social Services Committee reported on its inquiry into substandard housing in Northland and on the East Cape. Graham Kelly (the Labour Party’s housing spokesperson) initiated the inquiry in mid-1998 to expose the housing crisis that the Labour Party considered the National Government to be ignoring. Kelly described the report as confirming that people were living in derelict houses, caravans and converted garages that were often overcrowded, cold and without facilities (such as a laundry). He added that the report described the health consequences of these living conditions, stating: ‘Some families are repeatedly infested by scabies because of a lack of water for cleaning, and chronic asthma and glue ear are prevalent among children in particular. Third World diseases in Northland include meningococcal (meningitis) disease, tuberculosis and rheumatic fever’.²⁶⁹

In its 2002 report on reducing health inequalities, the Ministry of Health cited the argument in a 2000 Te Puni Kōkiri report that ‘existing inequalities between Māori and non-Māori may be partly attributed to historical events experienced by the Māori population, such as asset loss, land alienation and rapid urbanisation’.²⁷⁰ The Ministry of Health reported that the outcome gap in Māori life expectancy from 1995 to 1997 showed that Māori women living in the least deprived areas of the country had a lower life expectancy than Pākehā women in the most deprived areas (see Figure 5.3). Socioeconomic status did not therefore fully explain Māori health disparities, with Māori health researchers Papaarangi Reid and Bridget Robson naming racism and discrimination as additional causal factors.²⁷¹ The intervention

²⁶⁶ Ministry of Health, *Reducing inequalities in health*, pp. 16-17

²⁶⁷ Public Health Advisory Committee, *A guide to Health Impact Assessment: A policy tool for New Zealand. 2nd Edition*, Wellington: Public Health Advisory Committee, 2005, p. 15

²⁶⁸ Bridget Robson, Donna Cormack, and Fiona Cram, ‘Social and economic indicators’, in Bridget Robson and Ricci Harris (eds), *Hauora: Māori standards of health IV: A study of the years 2000-2005*, Wellington: Te Rōpū Rangahau Hauora a Eru Pōmare, 2007, pp. 25-26

²⁶⁹ Labour Party, ‘Select committee indicts Govt housing policy’, 13 October 1999, <https://m.scoop.co.nz/stories/PA9910/S00265/select-committee-indicts-govt-housing-policy.htm> (accessed 7 December 2022)

²⁷⁰ Ministry of Health, *Reducing inequalities in health*, p. 5; See also Te Puni Kōkiri, *Progress towards closing the social and economic gaps between Māori and non-Māori*, Wellington: Te Puni Kōkiri, 2000

²⁷¹ Papaarangi Reid and Bridget Robson, ‘Understanding health inequalities,’ in Bridget Robson and Ricci Harris (eds), *Hauora: Māori standards of health IV*, Wellington: Te Rōpū Rangahau Hauora a Eru Pōmare, 2007, p. 6

framework proposed by the Ministry of Health consisted of structural, intermediary pathways, health and disability services, and impact, with the Ministry acknowledging that the reduction of inequalities required action across all four areas. The Ministry of Health report included Te Tiriti o Waitangi, power relations (such as discrimination) and housing as structural determinants or root causes of health inequalities.²⁷² During the same year, the Ministry of Health's Māori health strategy, *He Korowai Oranga*, named affordable, available, appropriate, and effective housing as a component in facilitating whānau ora.²⁷³

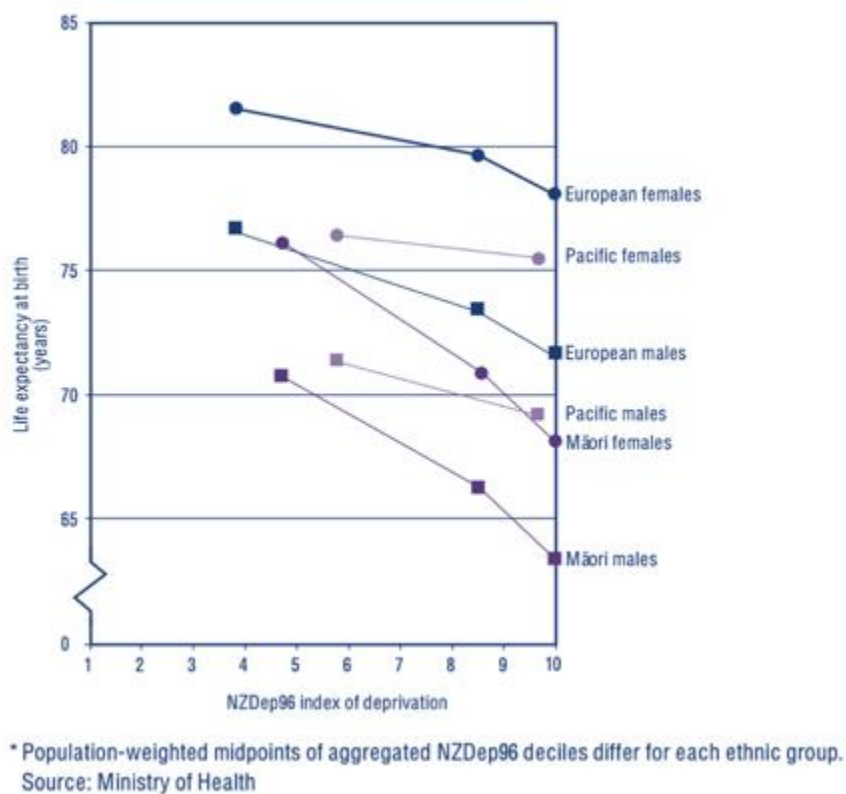


Figure 5.3: Life expectancy at birth, by aggregated deprivation decile, for Māori, Pacific, and European ethnic groups, 1995-97*,

Ministry of Health, *Reducing inequalities in health*, Wellington: Ministry of Health, 2002, p. 9

Understandings of the holistic nature of Māori health grew across these three decades, as did the responsiveness of Māori provider organisations and the advocacy of Māori health practitioners. These developments reiterated the importance of land, tūrangawaewae, and having a home place for Māori

²⁷² Ministry of Health, *Reducing inequalities in health*, pp. 18-23

²⁷³ Ministry of Health, *He Korowai Oranga - Maori health strategy*, Wellington: Ministry of Health, 2002, p. 25

health and wellbeing.²⁷⁴ The delivery of Māori health and disability services by Māori, for their communities also proved to be an important buffer for the impacts of the 1990s reforms on Māori and the impacts of the 2008 global financial crisis (discussed in Chapter Six).²⁷⁵

In spite of the reiteration of the connections between physical housing and health for Māori and the reinvigoration of the spiritual home-wellbeing connect during this time period, the investment in improving housing circumstances for Māori, especially in rural areas, remained low. Occupancy rates across Māori dwellings were higher than for Pākehā (4.2 versus 2.9 people per dwelling, or 0.8 versus 0.5 per room). In addition to often being a necessity, this crowding of Māori housing enabled whānau to meet social and family obligations by spreading accommodation costs over a number of people who were most likely low-income earners.²⁷⁶ In her 2001 review of the literature on the effects of crowding on health, researcher Alison Gray found that most reviews of crowding and health were cautious about causation due to confounding variables (such as poverty and nutrition). She concluded that while crowding may increase the risk of infection, this was not the same as causality.²⁷⁷ However in 2000, epidemiologist Michael Baker and his colleagues conducted a case-control study of meningococcal disease in Auckland's Māori and Pacific children (younger than 8 years), and confirmed that the risk of contracting the disease was strongly associated with household overcrowding. They concluded that the reduction of overcrowding would markedly reduce disease incidence in Auckland children.²⁷⁸ This focus on overcrowding was at a time when the predominant Crown discourse within housing policy was about 'choice as a key object of housing with the supreme act of the housing consumer being the exercise of choice in housing'.²⁷⁹ Overcrowding and the poor quality of Māori housing were therefore blamed by the media and the Crown for high rates of Māori infectious diseases, with this parodied by political cartoonist Tom Scott (see Figure 5.4).²⁸⁰

²⁷⁴ Jade Kake, 'Ngā Uri o Te Aurere Pou Whānau Trust Papakāinga, Mangakāhia', pp. 148-149

²⁷⁵ Kataraina Pipi, Fiona Cram, Vera Keefe-Ormsby, and Keitha Small, 'Māori and Iwi provider success: A research report of interviews with successful Iwi and Māori providers and government agencies', Wellington: Te Puni Kōkiri, 2002, pp. iii-iv; Te Puni Kōkiri, 'The implications of a recession for the Māori Economy', Wellington: Te Puni Kōkiri, 2009, p. 2

²⁷⁶ Douglas, *Fading Expectations: The crisis in Māori housing: a report for the Board of Maori Affairs*, pp. 11-14

²⁷⁷ Alison Gray, 'Definitions of crowding and the effects of crowding on health: A literature review', Wellington: Ministry of Social Policy, 2001, p. 20

²⁷⁸ Michael Baker, Anne McNicholas, Nicholas Garrett, Nicholas Jones, Joanna Stewart, Vivien Koberstein, and Diana Lennon, 'Household crowding a major risk factor for epidemic meningococcal disease in Auckland children', *The Pediatric Infectious Disease Journal*, 19, 2000, p. 983

²⁷⁹ Jago Dodson, *Government discourse and housing*, Aldershot: Ashgate Publishing, 2007, p. 158

²⁸⁰ Fiona Cram, Beverly Te Huia, Tracee Te Huia, Melissa Matutina Williams, and Nathan Williams, 'Oranga and Māori health inequities, 1769-1992', 2019, (Wai 2575, #B25), p. 106, pp. 108-109

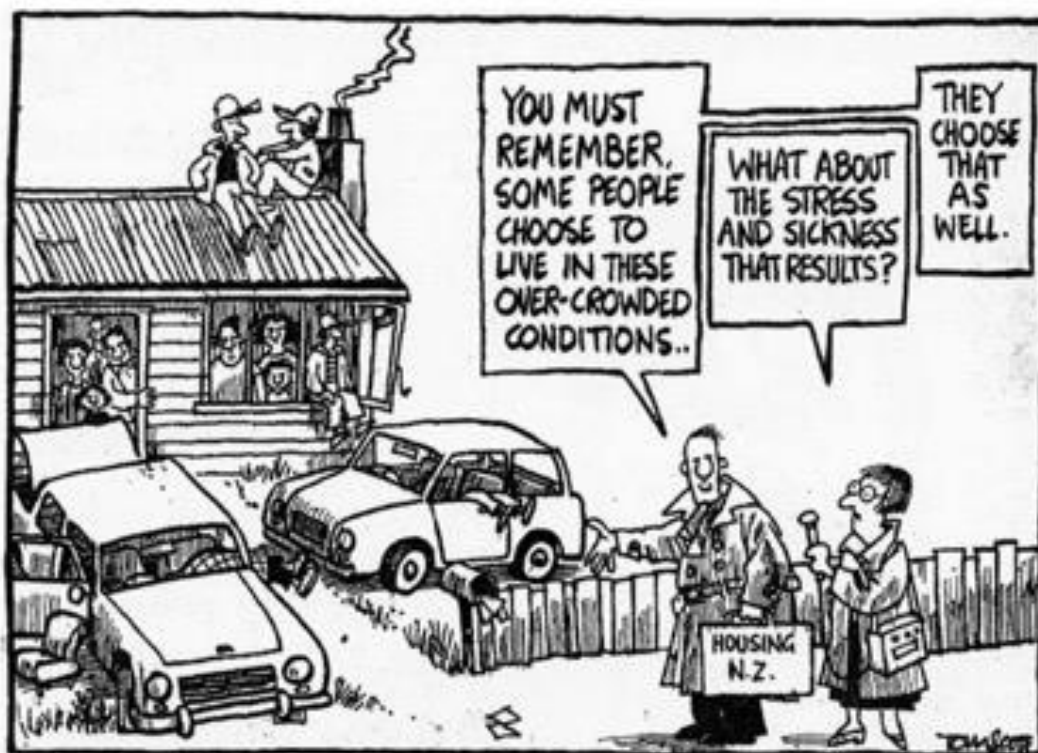


Figure 5.4: Thomas Scott, 'You must remember, some people choose to live in these over-crowded conditions. What about the stress and sickness that results? They choose that as well', *Evening Post*, 27 August 1998. Scott, Tom: Political cartoons published in the *Evening Post* from 3 August 1998 to 31 August 1998. Ref: H-505-019. Alexander Turnbull Library, Wellington, New Zealand. [/records/22328514](#). Permission granted by author

In summary, during the time period covered by this chapter, the Crown remained well aware of the connection between poor Māori housing and poor Māori health. This connection was documented on several occasions in government reports. An argument can be mounted that if Māori had had more access to mortgage finance to build homes on their ancestral lands, they might not have remained living in housing that negatively impacted on the health of those most vulnerable in their whānau. The ability to be well housed and homed on their own whenua would also nurture the wellness described in holistic models of Māori health, through the strengthening of people's connectivity to their own place, their tūrangawaewae.

5.6 What initiatives did the Crown take so that Māori could build housing on Māori land?

This section discusses the Crown initiatives to facilitate the construction of housing on Māori land during the period 1985 to 2007. These initiatives included seminars with government officials, the establishment of the Papakāinga Housing Research Group, and the introduction and implementation of multiple home ownership contracts, Low Deposit Rural Lending, Special Housing Action Zones, the Rural Housing Programme, the Housing Innovation Fund, and the National Housing Strategy. This

section demonstrates the receptiveness of the Housing Corporation to Koro Wētere's calls at Hui Taumata 1984 for it to become more culturally responsive, including facilitating Māori access to finance to build houses on Māori land.²⁸¹ In racing ahead of the Papakāinga Housing Research Group, however, the Housing Corporation created lending criteria that had already been highlighted as problematic by the Group. A lack of capacity within the Housing Corporation for delivering on Māori housing aspirations was demonstrated across its housing schemes, and it was more successful when delivering in partnership with Te Puni Kōkiri. Likewise, a National Housing Strategy that conflated being Māori with low socioeconomic status was not well-positioned to deliver to Māori.

In early 1984, the Ministry of Works and Development, in conjunction with the Taitokerau District Māori Council's planning unit, ran two seminars in Whangārei. The aim of the first seminar held in March was described as 're-organising procedures for processing applications to partition multiply-owned Māori land'. Gloria Herbert (Te Rarawa, Te Aupōuri, and Ngāti Whātua) from Pawarenga gave a keynote address about communal development in which she reviewed history to explain why Māori land was not flourishing to the same extent as general land. She outlined how, prior to colonisation, the land had belonged to the tribe, 'inherited from their tupuna and held in trust during their lifetime to preserve for future generations'.²⁸² The arrival of Europeans and the individualisation of land titles had changed this, with the earliest partitions being motivated by whānau wanting to ensure they were named as shareholders in a block of land. The urban drift after the Second World War meant that small multiply-owned farms were no longer economically viable and people could not get loans to develop or build on the land. Their response was the establishment of Section 438 Trusts. However, Herbert stated, 'Māori people have been bound by legislation that has completely ignored cultural values'. There were other options; for example, the Pawarenga Community Trust.²⁸³ She concluded that, 'Perhaps the most important lesson learnt by the Pawarenga people in their last three years has been that they have achieved far more for their community by co-operating and pooling their skills and energy than they ever achieved as individuals'.²⁸⁴ In this way, Herbert presented an alternative to the partitioning of land. Ian Melsom, a Māori Affairs Horticultural Advisory Officer, then spoke about what was needed for trusts to work.²⁸⁵ He was followed by a series of people talking about their experiences of trusts. At the end of this seminar, attendees requested a further workshop to look at alternatives to partitioning.²⁸⁶

²⁸¹ Koro Wētere, Speech to Hui Taumata, 30 April 1984, *Ngā Taonga Sound & Vision*, https://ngataonga.org.nz/collections/catalogue/catalogue-item?record_id=233970 (accessed 16 December 2022)

²⁸² 'Seminar: Alternatives to partitioning multiply-owned land as a means of development', p. 1, R7760006, Archives NZ, Auckland

²⁸³ 'Seminar: Alternatives to partitioning multiply-owned land as a means of development', p. 2

²⁸⁴ 'Seminar: Alternatives to partitioning multiply-owned land as a means of development', p. 3

²⁸⁵ 'Seminar: Alternatives to partitioning multiply-owned land as a means of development', p. 3

²⁸⁶ 'Seminar: Alternatives to partitioning multiply-owned land as a means of development', p. 5

The second seminar in Whangārei in August 1984 looked at housing on Māori land with Rod Topp (Māori Affairs' Housing Administrator), and discussed how legal requirements and Māori culture could be combined to build housing on Māori land.²⁸⁷ At this seminar, Russell Blake (the Housing Corporation's Assistant District Planner) described the Corporation's rural rental housing programme. He also discussed the Corporation's conclusion that it needed to find other options to build housing on Māori land in Northland. This included the option for home ownership on an applicant's land, which had the added advantage of reducing an applicant's housing costs. Blake stated that this would only be possible if ways were found for applicants to secure occupation rights, secure a loan (such as using the house as chattel security), and to make decisions about the Māori land's use.²⁸⁸ He concluded:

This is a situation which calls for imaginative solutions. Though this may require greater risks to be taken by housing agencies, these risks must be weighed against the other social and economic costs of allowing the present unsatisfactory conditions to continue. A co-operative approach between Housing Corporation, Maori Affairs Department and local community groups is seen as essential to the success of such a programme.²⁸⁹

At the end of the second seminar, Judge McHugh (a Māori Land Court Judge), recommended convening a group 'to look into the possibility of drafting a lease or licence which would provide adequate security for lending institutions to provide house mortgages'.²⁹⁰ Seminar attendees agreed on the membership of this group.²⁹¹ *Tū Tangata* (a joint publication by the Department of Māori Affairs, the New Zealand Māori Council, and the Māori Women's Welfare League) reported in 1986 that the Papakāinga Housing Research Group had been established to 'remedy substandard rural housing' and make it easier for those who had left to return home.²⁹² The Group included two Māori Land Court Judges alongside representatives from Māori Affairs, the Ministry of Works and Development, Housing Corporation, Tai Tokerau Federation of Māori Land Authorities, Lands and Survey, and the Land Registry Office.²⁹³ The Group's brief was to 'consider alternatives to partitioning Māori land and to find ways of obtaining

²⁸⁷ 'Seminar: Alternatives to partitioning multiply-owned land as a means of development', p. 12

²⁸⁸ 'Seminar: Alternatives to partitioning multiply-owned land as a means of development', pp. 16-18

²⁸⁹ 'Seminar: Alternatives to partitioning multiply-owned land as a means of development', p. 19

²⁹⁰ 'Seminar: Alternatives to partitioning multiply-owned land as a means of development', p. 21; Di Cosslett, 'Alternatives to partitioning seminar: Follow-up meeting', memo to Judge McHugh, Hemi-Rua Rapata, Paul White, Kevin Cassin, Russell Wells, Bruce Young and Russell Blake, 18 September 1984, R7760006, Archives NZ, Auckland

²⁹¹ 'Seminar: Alternatives to partitioning multiply-owned land as a means of development', p. 21

²⁹² 'Papakāinga Research Group', *Tū Tangata*, 1 February 1986, p. 32

²⁹³ Russell Blake - Chair (Housing Corporation), Paul White (Representative, Māori Federation), Hemi Rapata (Member, Law Society), Kevin Cassin (Lands and Deeds), Russell Wells (Māori Affairs Solicitor), Judge McHugh (Māori Land Court), Di Cossett (Ministry of Works and Development) and Bruce Young (Lands and Survey); Douglas, *Fading expectations: The crisis in Māori housing: a report for the Board of Maori Affairs*, p. 58; 'Papakāinga Research Group', *Tū Tangata*, 1 February 1986, p. 32

mortgage finance without the need to use the land as security'²⁹⁴ (see Figure 5.5 for newspaper item announcing the group's formation).



Figure 5.5: 'Housing Research Group Named',
Northern Advocate, 28 September 1984

The Department of Building and Housing described this as the first time government departments began to take serious action to address the challenges Māori faced obtaining finance to build housing on Māori land.²⁹⁵ The Ministry of Works was more effusive in its description of the Papakāinga Housing Research

²⁹⁴ Saville-Smith, 'Lending on Multiply-owned Māori Land. Department of Building and Housing, Head Office', 1990, p. 2

²⁹⁵ Saville-Smith, 'Lending on Multiply-owned Māori Land. Department of Building and Housing, Head Office', 1990, p. 1

Group's mandate; namely, to give precedence to cultural rather than economic considerations, challenge accepted rural planning practices, and contribute to race relations.²⁹⁶ Diane Buchanan stated:

The Papakāinga Housing Research Group proposals are designed to support the resurgence of Maoritanga by removing the legislative and policy barriers which presently hinder the realisation of Māori communal land use aspirations, thus helping to bridge the gap between the two cultures.²⁹⁷

The Papakāinga Housing Research Group took a multipronged approach to seeking solutions to the problems preventing Māori building homes on Māori land. These challenges included alienation, legislation, and the lack of regard for the relationship Māori have with their ancestral lands. They conducted research into subdivisions, reserves, titles, and rural planning to come up with proposals that would not compromise Māori values. This group wanted any proposal to be straightforward, so that individual owners could implement it with minimal costs and delays, and without a reliance on supportive procedures (such as the formation of trusts). These criteria led the Group to endorse the Māori Land Court as the appropriate body to provide title, and thus support the strengthening of Section 30(1)(a) orders in the Māori Affairs Act 1953:

General Jurisdiction of Court

30. (1) In addition to any jurisdiction specifically conferred on it otherwise than by this section, the Court, subject to the provisions of subsection two hereof, shall have jurisdiction-

(a) To hear and determine as between Maoris any claim, whether at law or in equity, to the ownership or possession of Maori freehold land, or to any right, title, estate, or interest in any such land or in the proceeds of the alienation thereof.²⁹⁸

This section was being used by some Māori Land Court judges to make orders for personal occupation rights to a house or building site when an applicant has 'some equitable claim and not necessarily an owner'.²⁹⁹

Separate from the Papakāinga Housing Research Group, the Housing Corporation developed a pilot scheme to trial mortgage funding for housing on Māori land. The pilot scheme involved the formation of a trust for the land that would be responsible for agreeing to a licence to occupy being granted to a person wanting to build a house. This person would then enter into a loan deed with the Corporation,

²⁹⁶ Buchanan, 'Papakāinga housing – A practical recognition of traditional Māori land aspirations. Ministry of Works and Development', p. 2

²⁹⁷ Buchanan, 'Papakāinga housing – A practical recognition of traditional Māori land aspirations. Ministry of Works and Development', p. 2

²⁹⁸ Board of Māori Affairs 'Housing', 8 May 1985, p. 2, R7760007, Archives NZ, Auckland

²⁹⁹ R.R.P. Wells, 'Department of Māori Affairs issues paper, Appendix 1. Background to existing law', 1984, R7760006, Archives NZ, Auckland

with security being the house that could be removed and sold if the mortgagee defaulted.³⁰⁰ The Board of Māori Affairs identified ‘numerous difficulties’ with the Housing Corporation’s pilot lending scheme, including potential confusion about the new form of tenure, the lack of provision for assignment of succession, little regard for the long-term tenure of the house when the mortgage was discharged, and disregard for the implications for both families and the Crown due to the houses needing to be removable.³⁰¹ The Board highlighted the need for urgent reform, and saw the Papakāinga Housing Research Group’s proposal (discussed in more detail later in this chapter), as a means of overcoming the difficulties identified in the Housing Corporation’s scheme.³⁰²

In a 1985 letter to the *Northern Advocate*, Russell Blake, Chair of the Papakāinga Housing Research Group, explained the difference between the Group’s work and Housing Corporation’s new lending policy:

Two different schemes for settling Māori land are being pursued at present. The first is a new lending policy under which the Housing Corporation is offering loans for housing on Māori land that is in multiple ownership. The second is a more wide-ranging exercise that is being carried out by the Papakāinga Housing Research Group ... to identify the numerous obstacles to Māori land settlement and to find solutions to each of these problems.³⁰³

Other work was proceeding at the same time on a separate scheme to fund Māori incorporations and trusts to build and administer affordable rental housing.³⁰⁴

The Papakāinga Housing Research Group proposed that the security for a Māori Affairs home loan would be the occupation right, in the form of a registrable title in the Land Transfer Office.³⁰⁵ If the mortgagee defaulted, the Board of Māori Affairs would take over the house for on-renting or on-selling. This was seen as a way to make lending attractive to other lenders.³⁰⁶ The Group’s initial investigations revealed that taking mortgage security over a (removable) house was inappropriate because it limited options for building with cheaper materials (such as sun-dried brick).³⁰⁷ They also suggested that taking mortgage security over the house ignored investment in the siting of the house, that a house would

³⁰⁰ Board of Māori Affairs, ‘Housing’, 8 May 1985, p. 1

³⁰¹ Board of Māori Affairs, ‘Māori Housing’, 6 September 1985, p. 4, R7760007, Archives NZ, Auckland; Board of Māori Affairs, ‘Housing’, 8 May 1985, p. 1

³⁰² Board of Māori Affairs, ‘Māori Housing’, 6 September 1985, p. 4

³⁰³ Russell Blake, ‘Papakāinga proposals’, *Northern Advocate*, 3 October 1985

³⁰⁴ ‘Papakāinga Research Group’, *Tū Tangata*, 1 February 1986, p. 32

³⁰⁵ Board of Māori Affairs ‘Housing’, 8 May 1985, p. 2

³⁰⁶ Papakāinga Housing Research Group ‘Reasons behind the Papakāinga Housing Research Group’s proposals’, Undated – 1986?, p. 1, R7760007, Archives NZ, Auckland

³⁰⁷ Buchanan, ‘Papakāinga housing – A practical recognition of traditional Māori land aspirations. Ministry of Works and Development’, pp. 4-5

deteriorate once removed, and that lending for improvements to a house already on site would be ruled out.³⁰⁸ Removing houses from remote areas if mortgagees defaulted would also be either impossible or very expensive, which the Group saw as a potential barrier to lending institutions providing mortgage finance.³⁰⁹ Instead they proposed that a mortgage guarantee be established and administered by the Board of Māori Affairs.³¹⁰ If the mortgagee defaulted, the Board of Māori Affairs would take over the house for on-renting or on-selling. This was seen as a way to make lending attractive to other lenders.³¹¹

As summarised by the Board of Māori Affairs, the Papakāinga Housing Research Group's proposal in September 1985 was for a Māori Land Court order conferring an owner or descendant's occupation right.³¹² The Māori Land Court would also ensure that the occupation order's conditions were observed.³¹³ The occupation order would, in turn, be used as security for a mortgage. The Group asserted that this security was on a par with deferred payment licences and renewable leases, which were seen at the time as acceptable securities by the Housing Corporation.³¹⁴ A mortgage guarantee would be offered by the Board of Māori Affairs. The occupation right would only be able to be sold, transferred, or succeeded to by whānau members. No local body consents were required for subdivision or the establishment of a house site, and the site would attract separate rates and a separate valuation.³¹⁵ The Board of Māori Affairs noted that this proposal was 'in line with the Kaupapa of the New Zealand Māori Council'.³¹⁶

In July 1985, a hui attended by around 600 to 800 people, including the Ministers of Housing and Māori Affairs, at Te Tii endorsed the Papakāinga Housing Research Group's proposal. This proposal was also endorsed by a full meeting of the Northland United Council, the Taitokerau District Māori Council, and the Taitokerau Federation of Māori Land Authorities. The Māori Affairs District Solicitors and Māori

³⁰⁸ Ian Stuart, Blair Badcock, Andrew Clapham, and Roger Fitzgerald, 'Changing tenure: housing trends, financial deregulation and housing policy in New Zealand since 1990', *Housing Finance International*, 18, 4, 2004, p. 9

³⁰⁹ Buchanan, 'Papakāinga housing – A practical recognition of traditional Māori land aspirations. Ministry of Works and Development', pp. 4-5

³¹⁰ Buchanan, 'Papakāinga housing – A practical recognition of traditional Māori land aspirations. Ministry of Works and Development', pp. 4-5

³¹¹ Papakāinga Housing Research Group 'Reasons behind the Papakāinga Housing Research Group's proposals', p. 1

³¹² Board of Māori Affairs, 'Māori Housing', 6 September 1985, pp. 2-3

³¹³ Papakāinga Housing Research Group, 'Minutes of the meeting held in the Lands and Survey meeting room, Whangarei, 15 August 1985, p. 2, R7760007, Archives NZ, Auckland

³¹⁴ Letter from the Papakāinga Housing Research Group, to the Director General, Housing Corporation of New Zealand, 29 November 1985, p. 2, R7760007, Archives NZ, Auckland

³¹⁵ Board of Māori Affairs, 'Māori Housing', 6 September 1985, pp. 2-3

³¹⁶ Board of Māori Affairs, 'Māori Housing', 6 September 1985, p. 3

Land Court Registrars had also seen the proposal.³¹⁷ Those at Te Tii encouraged urgency by way of a recommendation that was put by Sir James Henare and passed unanimously:

That this widely representative hui of Tai Tokerau endorses the proposals of the Papakāinga Housing Research Group and urges Government and the agencies which have responsibilities in these matters to take whatever steps are necessary to ensure the proposals are put into effect as a matter of urgency.³¹⁸

However, Dover Samuels (Ngāpuhi and Ngāti Kuri), strongly opposed the Group's proposal as, in his view, it undermined the importance of shares in Māori land. The Group resolved to argue against Samuels' opposition, given that it conflicted with those who attended the hui at Te Tii and the Tai Tokerau District Māori Council.³¹⁹

In December 1985, the Papakāinga Housing Research Group met with the Department of Māori Affairs and it was suggested they explore a link with the Housing Corporation's guarantee system.³²⁰ The Group's concerns about doing so were two-fold. First, they thought a fund held by a third party would make lenders suspicious that claims would be rejected. As of March 1984, the Corporation's \$71 million fund had been virtually untouched. Second, this fund did not deal with the disposal of a house in a mortgagee sale if no whānau member was able to purchase it. Rather, the Group saw more merit in the practice of the Board of Māori Affairs when people defaulted on Agreements to Sale and Purchase, whereby they paid the defaulting party the difference between the debt owed and the property valuation. The Group's view was that this method maintained the goodwill of landowners.³²¹

Towards the end of 1985, the Department of Māori Affairs decided that legislative change was needed to facilitate Māori settlement on Māori land under the Housing Corporation's scheme. For the building rather than the land to be mortgaged a 1985 provision allowed the Māori Land Court to determine ownership of the soon-to-be-built house. This house then needed to be able to be removed from the land if the mortgagee defaulted on their loan repayments. The Māori Affairs Act 1953 needed to be amended to give the Māori Land Court the jurisdiction to grant occupation rights to owners so they could build

³¹⁷ Board of Māori Affairs, 'Māori Housing', 6 September 1985, p. 1

³¹⁸ 'Papakāinga Housing Research Group's Recommendation – Submission to the Prime Minister', 29 November 1985, p. 1, R7760007, Archives NZ, Auckland

³¹⁹ Papakāinga Housing Research Group, 'Minutes of the meeting held in the Lands and Survey meeting room, Whangarei, p. 2

³²⁰ 'Meeting of Papakāinga Housing Research Group with Māori Affairs', Wellington, 12 December 1985, p. 2, R7760007, Archives NZ, Auckland

³²¹ Papakāinga Housing Research Group 'Reasons behind the Papakāinga Housing Research Group's proposals', p. 2

on Māori land they were shareholders in.³²² Although it was not a ‘silver bullet’, this provision mitigated against the risk of land being alienated and meant that costs and difficulties associated with partitioning or subdivision could be avoided.³²³ Māori Land Court Judge McHugh was scathing of what he saw as Wellington bureaucracy overriding the Papakāinga Housing Research Group’s sensible proposals and causing unnecessary delays. In a letter to Di Cosslett of the Ministry of Works and Development, McHugh wrote: ‘The present law permits Judges to make either Section 31A or Section 438 orders to implement the proposals so that people can be housed immediately’.³²⁴ However, the view of W.M. Hindmarsh (District Solicitor in Māori Affairs, Christchurch) was that new legislation was needed because Section 270 of the Local Government Act 1974 could potentially classify an occupation order as ‘a disposition affecting the fee simple’ and therefore be considered a ‘sale’.³²⁵

The Papakāinga Housing Research Group also clarified in its proposal that papakāinga areas were not subdivisions under the Local Government Act 1974 and were also exempt from Section 289 of the Act as it applied to developments.³²⁶ The Group identified the need to establish planning provisions that would accommodate papakāinga settlements (defined as up to five dwellings, with communal buildings, on up to 20ha) by their inclusion in a list of permitted uses of rural land. The provision of management plans was proposed when papakāinga housing was made conditional because settlements were larger or in ‘sensitive areas’ (such as areas of scenic beauty, high-quality soil, or land instability).³²⁷ In January 1986, the Ministry of Works and Development was working on District Scheme changes in Northland,

³²² Douglas, *Fading expectations: The crisis in Māori housing: a report for the Board of Maori Affairs*, p. 42; Sections 430 and 432 of the Māori Affairs Act 1953.

³²³ In a 23 July 1985 memo to R.F. Wise, Department of Māori Affairs Head Office, about the Papakāinga Housing Research Group’s proposals, B.J. Smith, Director, Māori Affairs, Auckland Office, acknowledged that partitioning was expensive and had other drawbacks, but it did facilitate housing. They argued that the Papakāinga Housing Research Group should have proposed an additional method for facilitating housing on multiply-owned land rather than an alternative method (R7760007, Archives NZ, Auckland). In a letter to the Papakāinga Housing Research Group, dated 26 November 1985 (R7760007, Archives NZ, Auckland) the Department of Lands & Survey stated that a plan prepared and certified by a registered surveyor for the Māori Land Court should be to a suitable standard format but did not need to be as in-depth as a usual land title survey plan. Clarification of this was sought on 30 September 1985 in a letter from Di Buchanan to the Surveyor General, asking whether the recommended Class C survey standard was in fact acceptable for house site definition.

³²⁴ ‘Letter from Judge McHugh, Māori Land Court Whangarei to Di Cosslett’, Ministry of Works & Development, 14 November 1985, p. 1, R7760007, Archives NZ, Auckland

³²⁵ Hindmarsh also wrote that the biggest legal problem he saw was relying on the goodwill of local authorities to grant building permits, rather than ensuring some legal compulsion for them to do so. Memo from W.M. Hindmarsh, District Solicitor to Department of Māori Affairs, ‘Papakāinga Research Group Discussion Paper’, 13 September 1985, p. 1, R7760007, Archives NZ, Auckland

³²⁶ Papakāinga Housing Research Group ‘Minutes of the meeting held in the Lands and Survey meeting room, Whangarei, p. 4

³²⁷ Diane Buchanan, ‘Papakāinga housing – A practical recognition of traditional Māori land aspirations’, Ministry of Works and Development, 29 August 1986, pp. 3-4

with the expectation that these could potentially create a precedent for other regions.³²⁸ A report prepared by the Ministry of Works and Development in 1985 outlined the proposed scheme changes/ variations the Whangārei County Council should implement within its District Scheme to enable papakāinga. It was recommended that papakāinga be treated as a legitimate use on general rural land, Rural A zone, which was the zoning for most Māori land in this county. On coastal land, Rural AC, it was proposed that papakāinga be treated as a controlled use to ensure compatibility with coastal environmental policy. It was recommended that provisions for papakāinga in Rural AC zones should also apply in Scenic Protection Zones.³²⁹ The Council implemented this advice, amending their District Scheme to include provision for papakāinga in zones Rural A, Rural AC, Scenic Protection Zones, rural settlement zones, and rural residential zones.³³⁰ One of the added paragraphs in Clause 6.4A Māori land of the County's District Scheme read:

The Council also fully supports the papakāinga concept which it believes will encourage Māori land in multiple ownership to be developed and used by Maoris [sic] in accordance with their aspirations as tangata whenua.³³¹

However, some dissent to this local process was noted. In their 1985 feedback on the Papakāinga Housing Discussion Paper, Hokianga District Council asserted that 80 per cent of planning difficulties were caused by 'zoning', even though this term was not included in the Town and Country Planning Act 1977. The Hokianga District Council recommended that Papakāinga legislation be considered rather than the alteration of individual District Schemes.³³² Graham Latimer (Ngāti Kahu leader), writing on behalf of the Tai Tokerau District Māori Council in 1986, endorsed the papakāinga proposals and congratulated those making them. He also called for the political action needed to make it law.³³³ Latimer had written to the Minister of Housing in 1985 to advocate for a shared equity scheme to enable low-income families to afford mortgage repayments, and the establishment of a monitoring group that would work to reduce substandard housing and its impacts on Māori health. He also recommended 'that the provisions of the Town and Country Planning Act relating to housing should be suspended as far as

³²⁸ N. M. Baker, Deputy Secretary, Department of Māori Affairs, Letter to Minister 'Papakāinga Housing', 13 January 1986, p. 1, R7760007, Archives NZ, Auckland

³²⁹ Mike Matunga, 'For District Commissioner of Works, to County Clerk, Whangarei County Council', 14 November 1985, pp. 5-6, R7760007, Archives NZ, Auckland

³³⁰ 'Whangarei County Council, Proposed scheme change/variation', Undated, p. 3, R7760007, Archives NZ, Auckland

³³¹ 'Whangarei County Council, Proposed scheme change/variation', Undated, p. 2

³³² R. Boatwright, 'Hokianga County Council, Papakāinga Housing Discussion Paper', 4 July 1985, p. 1, R7760007, Archives NZ, Auckland

³³³ Graham S. Latimer, Chairman, Tai Tokerau District Māori Council, 'Submissions to the Minister of Māori Affairs and Housing on Māori housing conditions in Northland', Updated – February 1986?, p. 2, R7760007, Archives NZ, Auckland

they apply to multiply-owned Māori land'.³³⁴ While the Tai Tokerau District Māori Council supported the Papakāinga Housing Research Group's proposal, Latimer was impatient about legislative impediments and delays, writing to the Minister of Works and Development, Fraser Colman, that 'we have such a long history of neglect and acceptance of low standards that I think we need a special push'.³³⁵

The Housing Corporation's planning and the Papakāinga Housing Research Group's consultations did not put a pause to papakāinga initiatives. In a 1987 article in *Tū Tangata*, journalist Ann Simpson reported on the papakāinga development of Ngāti Awa hapū, Taiwhakaea near Whakatāne. Simpson stated that while papakāinga housing was not new, the migration of people to urban centres had left many marae-centred homes deserted. The re-establishment of papakāinga could therefore attract people back to their poutokomanawa (the heart post of their wharenui). Stan Newton, the Taiwhakaea No 2 Trust's chairperson, was reported as saying: 'The whole thing started when a young woman of the tribe, a shareholder, came and said she wanted a section near the marae for a home. She didn't want to live in town'. The result was a subdivision next to the marae, begun in late 1982 and completed at the beginning of 1987, for four kaumātua flats and 20 houses. These were expected to be completed by the end of 1987.³³⁶

The Taiwhakaea No. 2 Trust had to apply for a 'specified departure' from the District Scheme so that they could subdivide rural land, in compliance with the Town and Country Planning Act 1977. The original papakāinga had been amalgamated in 1962 and leased to a farmer because of rates arrears. Newton explained:

A review of the district plan was due in 1985 and we had to have submissions prepared. That wasn't the end. Over the next few weeks we had to submit a volume of information and pages of details on the proposal to get planning permission. It had to conform in all respects to any similar development in town.³³⁷

The registered owners of the subdivision land were the trustees, and sections in the subdivision were available to shareholders to lease for 42 years (the maximum lease time under the Māori Affairs Act section 438 trusts) with right of renewal with trustee approval. Section leases were then able to be used

³³⁴ 'Letter from Latimer, Graham, Chair, Tai Tokerau District Māori Council, to Hon Phil Goff, Minister of Housing', 18 July 1985, p. 2, R7760007, Archives NZ, Auckland

³³⁵ Letter from Latimer, Graham, Chair, Tai Tokerau District Māori Council, to Hon Fraser Colman, Minister of Works and Development, 19 July 1985, p. 1

³³⁶ Ann Simpson, 'Te ahi ka o Taiwhakaea – Papakāinga', *Tū Tangata*, 1 April 1987, p. 22

³³⁷ Simpson, 'Te ahi ka o Taiwhakaea – Papakāinga', p. 22

as security for mortgage borrowing to build a house, in much the same fashion as proposed by the Papakāinga Housing Research Group (see Figure 5.6 for present day view of the subdivision).



Figure 5.6: A Google Earth aerial view of Pāroa Marae shows the housing subdivision today

The lease was set at \$2,000 a year for five years and thereafter a ‘peppercorn’ rental. According to Robin Hapi, the Department of Māori Affairs’ Director of Housing:

Taiwhakaea is the first such subdivision in the country – where the people did all the work and we supplied the finance and support ... We are promoting cluster or whānau housing. Papakāinga housing embraces the values and ideals of the Māori.³³⁸

The Waitangi Tribunal’s *The Whanganui River Report* provided a later example of a papakāinga development at Parikino, which had witnessed the gradual return of people by the end of the 1990s. Mike Potaka, chair of the Kaitangata Trust, spoke before the Tribunal about how the Trust had assisted with housing finance and six new houses had been able to be built so that people could answer the call of the river.³³⁹ He stated,

³³⁸ Simpson, ‘Te ahi ka o Taiwhakaea – Papakāinga’, p. 22

³³⁹ Waitangi Tribunal, *The Whanganui River Report* (Wai 167), Wellington: GP Publications, 1999, p. 87

It is a korero - the river is calling for its people. At some time in your life you need something when you are out there, home is the river and you say 'I need to go home'.³⁴⁰

Multiple Ownership Housing Contract

In August 1985, Phil Goff (the Minister of Housing) announced a new Housing Corporation product, a multiple ownership housing contract, whereby Māori wanting to build on Māori land would be able raise finance from the Housing Corporation using their house as security. A pilot of the scheme was planned for Tai Tokerau (Northland) and Tairāwhiti (Gisborne).³⁴¹ The multiple ownership housing contract explicitly aimed to enable more Māori families in rural areas to achieve home ownership by removing 'a long standing disadvantage which has prevented rural Māori families from improving their housing situation'.³⁴² Applicants for mortgage finance under the scheme were charged with obtaining permission (a licence to occupy) to build on the land, and the house they built had to be relocatable. The land itself needed to be vested with one or more trustees under Section 438 of the Māori Affairs Act 1953.³⁴³ Applicants also had to meet the Housing Corporation's usual eligibility criteria for housing finance.³⁴⁴ The multiple ownership housing contract was not seen by the Corporation as a permanent solution, but rather as an interim measure until further legislation was passed to allow for papakāinga housing in response to proposals from the Papakāinga Housing Research Group.³⁴⁵ These proposals included changes in the Town and Country Planning Act to simplify house building on Māori land.³⁴⁶

Paul White (Te Rarawa) and Tawa Paenga (Ngāti Porou) were seconded to the Housing Corporation as Advisory Officers. White worked in Taitokerau and Paenga on the East Coast during the pilot scheme to help people avail themselves of this scheme or other housing schemes they were eligible for.³⁴⁷ They guided applicants through the Māori Land Court hearings, and supported them with surveying house section sites and submitting loan applications.³⁴⁸ In his travels throughout Northland, White found that people knew about the Papakāinga Housing Research Group's proposals and were mostly in favour.³⁴⁹

³⁴⁰ Waitangi Tribunal, *The Whanganui River Report (Wai 167)*, Wellington: GP Publications, 1999, p. 87

³⁴¹ 'Scheme makes homes on tribal land possible', *Northern Advocate*, 12 August 1985

³⁴² Minister of Housing, Hon Phil Goff, quoted in, 'Scheme makes homes on tribal land possible', *Northern Advocate*, 12 August 1985; See also 'Papakāinga Research Group.' *Tū Tangata*, 1 February 1986, p. 32

³⁴³ Douglas, *Fading expectations: The crisis in Māori housing: a report for the Board of Maori Affairs*, p. 88

³⁴⁴ Saville-Smith, 'Lending on Multiply-owned Māori Land', p. 2

³⁴⁵ Bathgate, *The housing circumstances of the Maori people and the work of the Housing Corporation in meeting their needs*, p. 27

³⁴⁶ Bathgate, *The housing circumstances of the Maori people and the work of the Housing Corporation in meeting their needs*, p. 27

³⁴⁷ Bathgate, *The housing circumstances of the Maori people and the work of the Housing Corporation in meeting their needs*, p. 26; Saville-Smith, 'Lending on Multiply-owned Māori Land', p. 2

³⁴⁸ Bathgate, *The housing circumstances of the Maori people and the work of the Housing Corporation in meeting their needs*, p. 26

³⁴⁹ 'Minutes of the Papakāinga Housing Research Group's meeting held on 18 November 1985 at 10:30am in the Lands and Survey Meeting Room Whangārei', p. 3, R7760007, Archives NZ, Auckland

Initially, however, he reported that people were unwilling to consider papakāinga as an alternative to partitioning as it had taken them so long to get to the planning application stage. For example, in September 1985, the *Northern Advocate* reported that two planning applicants, Kawiti Tomars and Stephen Williams, had told the Mangonui County Council's Planning Committee that they wanted the 'security and independence' of a clear title to their land rather than what was being proposed for papakāinga. Tomars was applying to create four sections on his ancestral land at Lake Ohia so his whānau could build houses. His main opposition to a papakāinga development appeared to be the owner's inability to sell their house if they moved from the district. His application was approved. Williams applied to partition a building site from his ancestral land on Toa Toa Road. His application was also granted.³⁵⁰

Government departments (Valuation, Lands and Survey, and Māori Affairs) provided coordinated assistance to support the Housing Corporation's multiple ownership housing programme. East Coast county councils also amended their District Planning Schemes in response to the lending programme, so they would accommodate housing being built on rural, Māori land. These initiatives, along with the Advisory Officers, helped to make the housing scheme viable.³⁵¹ Unsurprisingly, the Advisory Officers (Paul White and Tawa Paenga) were, over time, given a wider range of Māori housing related work by the Housing Corporation.³⁵²

In his 1987 report, David Bathgate (Policy and Research Division, Housing Corporation of New Zealand) described the response to the pilot scheme as 'very good'.³⁵³ However, the evaluation of the pilot carried out by Te Hou Ora Advisory Team highlighted seven main problems, including inconsistencies in local authority planning requirements, with some being very restrictive; difficulties obtaining owner or trustee consent to occupy land; unfamiliarity of all involved with the programme; delays in the Māori Land Court; low lending limits in some Housing Corporation branches relative to building costs in rural areas, and lack of finance to cover related costs (such as legal fees); the licence to occupy only covering the term of the loan rather than the life of the occupier and their successors; and a lack of systematic monitoring, including a business code for the programme.³⁵⁴ This evaluation

³⁵⁰ 'Papakāinga provisions not popular', *Northern Advocate*, 17 September 1985

³⁵¹ Bathgate, *The housing circumstances of the Maori people and the work of the Housing Corporation in meeting their needs*, p. 26

³⁵² Saville-Smith, 'Lending on Multiply-owned Māori Land', p. 2

³⁵³ Bathgate, *The housing circumstances of the Maori people and the work of the Housing Corporation in meeting their needs*, p. 27

³⁵⁴ Cited in Saville-Smith, 'Lending on Multiply-owned Māori Land', pp. 5-6

also highlighted the need for national legislation in response to the recurring barriers to papakāinga development in local government planning.³⁵⁵

The first two loans for the pilot were approved in February 1986.³⁵⁶ Bathgate noted that 30 loans were approved in Northland and 15 on the East Coast, while 204 more applications were being processed by late March 1987.³⁵⁷ The Housing Corporation's 1990 report recorded slightly different loan numbers than Bathgate, with 41 pilot scheme loans approved in the year ended 31 March 1987 – 28 in Northland, 13 on the East Coast.³⁵⁸ The licence to occupy meant that applicants' costs were less than if they had to also purchase a housing section, with the result that in Northland those taking advantage of the scheme tended to have lower incomes, more children, and come from worse housing situations than was usual for Housing Corporation applicants.³⁵⁹ The Housing Corporation also supported the Hiruhārama community on the East Coast to combine a desire to return to their ancestral land with training schemes for young unemployed people to help erect kitset homes. This initiative combined Housing Corporation loans with Department of Labour funding for the training schemes.³⁶⁰

Papakāinga Lending Scheme

At the completion of the pilot in 1987, the Housing Corporation launched the Papakāinga Lending Scheme. It would continue until 2008.³⁶¹ Phil Goff (Minister of Housing) and Koro Wētere (Minister of Māori Affairs) promoted this scheme as removing 'a long-standing disadvantage which had prevented rural Māori families from improving their housing situation'. They stressed that it was not giving Māori families any special advantage as only limited support was provided to applicants and loan recipients to help them navigate mortgage financing. As local government regulations remained unchanged, Māori were left to battle these themselves without any assistance or financing for the costs incurred. However, it was suggested that District Scheme planning should make provision for the special needs of Māori, as in the Town and Country Planning Act 1977, to ensure papakāinga housing could be built in all Rural A zones.³⁶²

³⁵⁵ Cited in Saville-Smith, 'Lending on Multiply-owned Māori Land', pp. 5-6

³⁵⁶ Cited in Saville-Smith, 'Lending on Multiply-owned Māori Land', p. 4

³⁵⁷ Bathgate, *The housing circumstances of the Maori people and the work of the Housing Corporation in meeting their needs*, p. 27

³⁵⁸ Saville-Smith, 'Lending on Multiply-owned Māori Land', p. 4

³⁵⁹ Bathgate, *The housing circumstances of the Maori people and the work of the Housing Corporation in meeting their needs*, p. 27

³⁶⁰ Bathgate, *The housing circumstances of the Maori people and the work of the Housing Corporation in meeting their needs*, p. 28

³⁶¹ Robin Kearns, 'Colonised by policy? Housing opportunities for Indigenous peoples on collectively-owned land in Canada and New Zealand', *Australian-Canadian Studies*, 19, 1, 2001, p. 69

³⁶² Douglas, *Fading expectations: The crisis in Māori housing: a report for the Board of Maori Affairs*, pp. 60-61

The Papakāinga Lending Scheme provided housing loans to individuals to build on Māori land, provided they met loan conditions that included a 15 per cent deposit. Successful applicants' contracts involved them (as borrowers), the trustees of the Māori land, and the Housing Corporation. Trustees would grant a licence to occupy a section of land, defined by a simple survey, to the applicant(s) who would arrange a Housing Corporation loan to purchase a removable house that would be the security for the loan.³⁶³ These loans could be given alongside other Housing Corporation products such as the Homestart Scheme (introduced in 1986), which provided first-home buyers with low-interest loans and deferral of payments for five years.³⁶⁴ The Housing Corporation again saw this solution to lending to Māori to build on Māori land as an interim measure, until the anticipated passing of the Marae and Papakāinga Housing Bill.³⁶⁵

In addition to the 43 to 45 loans in the pilot sites of Northland and the East Coast that were approved by the end of March 1987, six loans were approved in Henderson and Manukau. In the following 1987/1988 financial year approximately 100 loans were approved, and 261 in the following 1988/1989 financial year. Table 5.3 provides an overview of the approximately 244 loans made from 1 April 1989 to 31 December 1989.

Table 5.3: Papakāinga Housing Loans reported, April-December 1989

Note. A handwritten note states 'different counting method. Approval before ML Court sitting'. Source. Kay Saville-Smith, 'Lending on Multiply-owned Māori Land', Department of Building and Housing,

Branch Area	Number of loans	Value \$
Auckland (Whangarei)	Approx. 70	
Hamilton	14	701274
Henderson	13	734343
Napier	7	381046
Manukau	2	102668
Palmerston North	1	32000
Porirua	5	175290
Rotorua	132*	5654395
Total	Approx. 244	7781016

³⁶³ 'Papakāinga Research Group', *Tū Tangata*, 1 February 1986, p. 32

³⁶⁴ Davey and Kearns, 'Special needs versus the "level playing-field": Recent developments in housing policy for Indigenous people in New Zealand', p. 78

³⁶⁵ Davey and Kearns, 'Special needs versus the "level playing-field": Recent developments in housing policy for Indigenous people in New Zealand', p. 77; Saville-Smith, 'Lending on Multiply-owned Māori Land', p. 3

From October 1985 (the introduction of this programme) to 31 December 1989, 598 loans were reported as being approved. This included loans for the pilot programme. As this tally included loans to erect housing through Homestart, Home Improvement loans, kaumātua flats, and special lending, it is unclear what proportion of the 598 loans were for newly built homes on Māori land. In addition, the Rotorua loan approvals were included in the count prior to the Māori Land Court sitting so it is also unclear how many of the approved loans were then supported by a licence to occupy and the ability to then build a house.³⁶⁶

In the 1989/1990 financial year, 246 loans were recorded as approved, with a total value of \$11 million.³⁶⁷ In its 1989–1990 Annual Report, the Housing Corporation stated that 700 Māori households were housed on ancestral lands through the Papakāinga Lending Scheme, but (as described above) this number was sourced from the loan approval data for a variety of loans and probably over-estimated the actual number of houses that eventuated.³⁶⁸ During the 1990/1991 financial year, 257 loans were approved. Between 1990 and 1998 a total of 596 loans were extended, but the rate of lending fell from the high number in 1990/91 to only 48 in 1997/98.³⁶⁹

According to researchers Judith Davey and Robin Kearns, structural changes in the Housing Corporation and the Ministry of Māori Affairs – Te Puni Kōkiri, along with policy changes (such as the end of the Homestart Scheme) led to the decline in lending in the 1990s. While Te Puni Kōkiri's predecessor, the short-lived Iwi Transition Authority, had been able to finance the Papakāinga Housing Scheme (alongside Housing Corporation New Zealand), Te Puni Kōkiri was designated an advisory and policy agency only.³⁷⁰ In 2005, Kearns also attributed the decline in loans to difficulties whānau had raising even the 15 per cent deposit along with whānau disputes whereby people could not obtain permission to occupy land from other shareholders.³⁷¹

From whānau feedback in the late 1990s, Te Puni Kōkiri identified Housing Corporation New Zealand barriers to Māori seeking papakāinga loans in the Bay of Plenty, including a lack of promotion of the Papakāinga Lending Scheme, poor written communication and confusing loan application forms, and

³⁶⁶ Saville-Smith, 'Lending on Multiply-owned Māori Land', pp. 4-5

³⁶⁷ New Zealand Business Roundtable, 'Housing policy: Some broader perspectives', p. 39

³⁶⁸ Davey and Kearns, 'Special needs versus the "level playing-field": Recent developments in housing policy for Indigenous people in New Zealand', p. 78

³⁶⁹ Murphy, 'A profitable housing policy? The privatization of the New Zealand Government's residential mortgage portfolio', p. 397

³⁷⁰ Davey and Kearns, 'Special needs versus the "level playing-field": Recent developments in housing policy for Indigenous people in New Zealand', p. 79

³⁷¹ Kearns, 'Places to stand but not necessarily to dwell: The paradox of rural homelessness in New Zealand', pp. 247-260

the lack of a regional office in Rotorua or the wider Bay of Plenty region.³⁷² This research led Te Puni Kōkiri to make a four recommendations to improve Māori access to papakāinga funding, each with four to five specific suggestions of how to implement the recommendations:

- Actively promote the Papakainga Lending Programme in the Bay of Plenty Region
- Provide a larger network of liaison officers to assist with applications
- Improve the criteria of the Programme
- Improve the clarity of information on the Programme to ensure that it is clear and easily understood³⁷³

It is not clear whether any of Te Puni Kōkiri's recommendations were implemented. There were also, other institutional explanations for the decline in the number of Papakāinga Housing Loans. In his 1997 Waitangi Tribunal report on Māori and rating law, Tom Bennion noted that 'several councils have problems with papakainga housing' as the housing was still on Māori land and residents only had a licence to occupy. Bennion also noted that councils preferred to receive rates from named individuals rather than a trust.³⁷⁴ In addition, because the land had been given a 'special low valuation' the councils did not receive full rates.³⁷⁵ This 'special low valuation' was, however, not reflected in Margaret Mutu writing about the rating implications when land was set aside for housing. For example, shareholders in *Rāwhiti 2A3B2C2 Residue* who wanted to return to and live on their land near Cape Brett in the late 1980s had to change the legal status of 43 acres so they could live on it in accordance with planning regulations. The block that had been valued at \$185,000 was given a new valuation as a papakāinga in 1991 of \$550,000. This was seen by shareholders as a barrier to them returning to their whenua tūpuna (ancestral land).³⁷⁶ Pita Rikys has argued that this issue of the unreasonable and unjustifiable rating of Māori land has persisted across the decades, from the time that Māori land first became rateable in 1871.³⁷⁷

Bennion quoted a personal communication from a Wellington lawyer, Jonathan Salter, who had been providing legal advice to many local authorities. This spoke to the importance of local authorities having good relationships with mana whenua.

the general perception amongst local authorities about the rating of Maori land is that it is an issue which lives in the 'too hard' basket. Many local authorities now acknowledge the sensitivity of rating Maori land in the context of the Treaty of Waitangi but find the statutory

³⁷² Te Puni Kōkiri, *Regional housing issues - Feedback from Māori*, Wellington: Te Puni Kōkiri, 1998, p. 16

³⁷³ Te Puni Kōkiri, *Papakāinga Lending Programme in Rotorua*. Wellington: Te Puni Kōkiri, 1999, p. 21

³⁷⁴ Bennion, *Māori and rating law. Rangahaua Whānui National Theme i*, pp. 26-7

³⁷⁵ Bennion, *Māori and rating law. Rangahaua Whānui National Theme i*, pp. 26-7

³⁷⁶ Rikys, *The valuation and rating of Māori land*, p. 89

³⁷⁷ Rikys, *The valuation and rating of Māori land*, p. 84

provisions in Part xiii of the Rating Powers Act³⁷⁸ extremely difficult to implement in practice... the local authorities which appear to have achieved the greatest degree of success are those which have established sound liaison and goodwill with the Maori in their districts.³⁷⁹

In 2006, Green Party MP Metiria Turei raised the issue of rates in Parliament. She spoke of people being unable to afford to live in their papakāinga areas because they could not afford the rates being charged. Even so, the Green Party opposed the Local Government (Rating Cap) Amendment Bill because a lower rating base would financially limit the ability of councils to manage local infrastructure and only be a 'band-aid approach' that would not tackle the 'real issues'.³⁸⁰

When he spoke to the Social Services Committee in June 2005, Pat Snedden, Chair of the Housing New Zealand Corporation Board, said they did not name housing on Māori land 'papakāinga housing' anymore. Rather, the Housing Corporation was described as capturing that sort of assistance under 'different forms'.³⁸¹ These different forms were broadly described by the Housing Corporation as 'rural regional loans' and included:

- Low Deposit Rural Lending targeted at low to modest income earners who want to buy or build in rural or regional areas
- home improvement finance for homeowners to repair and enhance their properties
- Kapa Hanga Kāinga – Group Self Build loans for building homes as part of a whānau group
- Papakāinga lending for building or buying housing on Māori land held in multiple ownership.³⁸²

While the Housing New Zealand Corporation may have talked about a package of rural regional loans, those wanting to build housing on Māori land still needed to apply for a papakāinga loan.³⁸³ However, the Corporation did not report separately on the provision of these loans in its annual reports in the early 2000s.³⁸⁴

³⁷⁸ Part XIII of the Rating Powers Act 1988 dealt with Māori land rating.

³⁷⁹ Bennion, *Māori and rating law. Rangahaua Whānui National Theme i*, p. 27

³⁸⁰ NZPD, Vol. 632, 2006, p. 4477

³⁸¹ NZ Housing of Representatives, 2005/06 'Estimates Vote Housing, Report of the Social Services Committee', p. 13,

https://www.parliament.nz/resource/enNZ/47DBSCH_SCR3203_1/a065cb1a862516cacd7c6a369be948c04469d807 (accessed 17 January 2023)

³⁸² Quoted here from Housing New Zealand Corporation, '2003/04 Housing Corporation Annual Report', 2004, p. 20

³⁸³ Housing New Zealand Corporation, '2005/06 Annual Report', 2006, p. 42

³⁸⁴ See, for example, Housing New Zealand, 'Annual report 2004', 2004, p. 8, p. 20

Only 44 loans were approved in the 2000s, and the scheme ended in 2008.³⁸⁵ In 2011, the Auditor-General also posited that the decline in Papakāinga Housing Loans was because in its final years the Scheme was largely left to service those areas not being targeted by the Low Deposit Rural Lending Scheme (see below). However, the number of loans provided to Māori between 2000 and 2008 to build on Māori land through this scheme was also low.³⁸⁶ We turn to this scheme next.

Low Deposit Rural Loan Scheme

The Fourth National Government established the Low Deposit Rural Loan Scheme in 1994, which remained in place throughout the Fifth Labour Government's tenure. The Housing Corporation administered the Low Deposit Rural Lending scheme, contracting provider organisations, including Māori organisations (such as Kia Ora Ngā Puhi Housing), to deliver it. The scheme provided home loans to low-income households with a 5 per cent deposit (later adjusted to a 3 per cent deposit).³⁸⁷ Applicants needed to prove they could service a loan and complete a home ownership education course. Information and coaching or brokering support were provided for up to five years to help manage defaults in the most common default period. Participants included seasonal workers, welfare beneficiaries, and single parents. While the loan scheme was low deposit, the interest rates for mortgages of around one per cent above market rates often left borrowers struggling to make payments.³⁸⁸ In 2003, a joint non-government organisation submission about this scheme stated:

In one instance, a recipient of the low deposit rural loan (also the individual who held the housing portfolio for the local tribal authority) was forced to move into a garage behind the new house, and to let the house in order to meet payments.³⁸⁹

During the 1990s, many of the homes built under the scheme were low quality, which had long-term consequences for ongoing maintenance requirements and replacement.³⁹⁰ In 1998, only 10 per cent of those completing the home ownership course (208 out of 2131 people) went on to secure mortgage loans.³⁹¹ The low uptake was attributed to difficulties potential loan applicants had in saving the required

³⁸⁵ Controller and Auditor-General, 'Government planning and support for housing on Māori land', p. 29

³⁸⁶ Controller and 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', 2011, p. 29

³⁸⁷ Housing New Zealand Corporation, 'Housing New Zealand Corporation Annual Report', 2004, p. 7

³⁸⁸ Joint NGO Submission, 'Housing in New Zealand', 2003, p. 20

³⁸⁹ Joint NGO Submission, 'Housing in New Zealand', 2003, p. 20

³⁹⁰ Controller and 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', Wellington: Controller and Auditor-General, 2011, p. 29

³⁹¹ Murphy, 'A profitable housing policy? The privatization of the New Zealand Government's residential mortgage portfolio', p. 397; Kathryn Scott and Robin Kearns, 'Coming home: Return migration by Maori to the Mangakahia Valley, Northland', *New Zealand Population Review*, 26, 2, 2000, pp. 21-44

deposit. Laurence Murphy describes the Housing Corporation's withdrawal from the housing market in the 1990s as a key reason for the downturn in loan numbers. In 1990, the Corporation had advanced new loans worth \$746 million, whereas by 1996 it advanced only \$36 million.³⁹² This happened at a time when Māori, Pacific, and low-income people were becoming increasingly marginalised by economic reforms and needed the secondary mortgage market that the Housing Corporation and Māori Affairs had previously provided for them. In addition, private institutions remained reluctant to lend for housing on Māori land.³⁹³

In 1999 Te Puni Kōkiri reported on interviews undertaken in Tairāwhiti with a range of programme participants, potential participants, and stakeholders in the Low Deposit Rural Loan Scheme. Four main barriers to home ownership were identified: a lack of secure employment and income, the high costs of building in rural areas, associated costs (such as the legal fees), and issues largely related to Māori land ('ownership, legal costs, accessibility, processes involved, delays and difficulties in locating owners, refusals by owners to approve license to occupy').³⁹⁴ Te Puni Kōkiri concluded that unless these barriers were eliminated, the scheme could not be expected to have an impact on Māori housing.³⁹⁵

Difficulties are compounded if the [Low Deposit Rural Loan Scheme] workshop graduate is considering building on Māori land. Participants' experience was that unfavourable whānau dynamics and Maori Land Court processes increases the lead time for loan application processing.³⁹⁶

State houses were built on Māori land in 2001 for the first time in a decade. Four state houses were built in partnership with the Takou Trust, at Takou Bay in Northland. Urgent repair work to 27 properties in the North was also carried out, following housing assessments undertaken by a collaboration of iwi and housing and social agencies. These initiatives were recognised as only part of the answer to Māori rural housing needs. As the Housing Minister, Mark Gosche, explained: 'We recognise that a solution to housing issues cannot be determined in isolation from other challenges faced by those living in impoverished communities'.³⁹⁷

³⁹² Murphy, 'A profitable housing policy? The privatization of the New Zealand Government's residential mortgage portfolio', p. 398

³⁹³ Murphy, 'A profitable housing policy? The privatization of the New Zealand Government's residential mortgage portfolio', p. 398

³⁹⁴ Te Puni Kōkiri, *The Low Deposit Rural Lending Programme in Tairāwhiti*. Wellington: Te Puni Kōkiri, 1999, p. 7

³⁹⁵ Te Puni Kōkiri, *The Low Deposit Rural Lending Programme in Tairāwhiti*, p. 8

³⁹⁶ Te Puni Kōkiri, *Regional housing issues - Feedback from Māori*, p. 14

³⁹⁷ 'State houses built on Maori land after 10-year hiatus', *New Zealand Herald*, 4 November 2001

In April 2003, a collective of non-governmental organisations (co-ordinated by the Human Rights Foundation and including Just Housing Trust and the Child Poverty Action Group) made a joint submission on housing in response to the New Zealand Government's Second Periodic Report to the Committee on Economic, Social and Cultural Rights. This collective argued that the Housing New Zealand Corporation's initiatives to address substandard housing (including the Low Deposit Rural Lending Scheme and the Group Self Build programme) were incoherent, and tended to be implemented in a piecemeal and uninformed fashion.³⁹⁸ Their joint submission concluded:

Comprehensive involvement of Māori in the development and implementation of a Māori housing strategy is paramount. The absence of a Māori Housing Authority poses immediate problems of resourcing and workforce development.³⁹⁹

In the 2003/2004 financial year, ten organisations were contracted to provide the Low Deposit Rural Loan Scheme (including Papakāinga, Kapa Hanga Kāinga, and Sweat Equity), and 1,104 people graduated from the home ownership course and 226 acquired loans. The provider organisations included Huakina Development Trust, Kahungunu Executive, Te Runanga o Ngāti Porou, and Te Taiwhenua o Heretaunga.⁴⁰⁰ In July 2004, MP Muriel Newman asked the Labour Minister for Housing, Steve Maharey, how much had been spent by Housing New Zealand on Low Deposit Rural Loans, and who had benefitted from the scheme.⁴⁰¹ Table 5.4 (below) was supplied in response to her question, showing a total of 1244 loans worth just over \$95 million from the beginning of the scheme to 2003/2004. While there was no indication about what proportion of these loans were made for housing on Māori land, the Auditor-General recorded that only 142 of the loans made between 2000 and 2009 were for houses on Māori land.⁴⁰²

³⁹⁸ Joint NGO Submission, 'Housing in New Zealand', 2003, pp. 19-20

³⁹⁹ Joint NGO Submission, 'Housing in New Zealand', p. 4

⁴⁰⁰ 'PQ 14851 Home ownership programmes run by Housing New Zealand Corporation as at 8 October 2004', https://www.parliament.nz/resource/en-NZ/QWA_14851_2004/b8315dbb2e2dd38007b21aeece3bb34dc1ff3964 (accessed 17 January 2023)

⁴⁰¹ Dr Muriel Newman to Minister for Housing, 'PQ 9981 (2004)', 22 July 2004, https://www.parliament.nz/en/pb/order-paper-questions/written-questions/document/QWA_09981_2004/9981-2004-dr-muriel-newman-to-the-minister-of-housing (accessed 17 January 2023)

⁴⁰² Controller and 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', 2011, p. 29

Table 5.4: Housing New Zealand Corporation lending and spending on Low Deposit Rural Loans, Steve Maharey, Reply to Parliamentary Question by Dr Muriel Newman, 'PQ 9981 (2004)', 22 July 2004, https://www.parliament.nz/en/pb/order-paper-questions/written-questions/document/QWA_09981_2004/9981-2004-dr-muriel-newman-to-the-minister-of-housing

Year	Number of loans	Value of loans
1994/95	3	\$126,000
1995/96	59	\$3,499,600
1996/97	68	\$4,727,100
1997/98	84	\$6,093,300
1998/99	103	\$7,605,500
1999/00	165	\$13,353,889
2000/01	126	\$10,933,877
2001/02	146	\$11,631,362
2002/03	264	\$19,801,484
2003/04	226	\$17,518,428
Total	1244	\$95,290,540

In June 2005, Housing New Zealand representatives Pat Snedden (Board Chairman) and Ian Bourke (Acting Chief Executive, General Manager Housing Services) told the Social Services Committee that they had provided loans for housing on Māori land that was 'formerly called papakāinga housing'.⁴⁰³ The implication was that this housing was not catered for by the Low Deposit Rural Lending Programme. Green MP Sue Bradford asked them how much funding was going into this housing and they replied that they had a current piece of work underway 'around home lending ... looking into issues of establishing properties on multiply-owned land'.⁴⁰⁴ The Committee reported:

Under the Low Deposit Rural Lending Scheme loans are made to community-based organisations, and groups purchasing or building properties on multiple-owned lands are accommodated. The scheme includes assistance previously provided by the Papakainga housing scheme where Maori land was held in multiple ownership. Housing New Zealand Corporation is examining issues relating to the establishment of properties on multiple-owned land, and noted that there are obstacles in moving cases through the Maori Land Court. We were told that

⁴⁰³ NZ House of Representatives, '2005/06 Estimates Vote Housing. Report of the Social Service Committee', p. 13, https://www.parliament.nz/resource/enNZ/47DBSCH_SCR3203_1/a065cb1a862516cacd7c6a369be948c04469d807 (accessed 6 December 2022)

⁴⁰⁴ NZ House of Representatives, '2005/06 Estimates Vote Housing. Report of the Social Service Committee', p. 13

the programme has been underperforming, and that it is time to evaluate its constraints and coverage.⁴⁰⁵

In 2005/2006, the Housing Corporation informed the Social Services Committee that the Low Deposit Rural Lending Scheme was under-performing and that it had identified obstacles in securing loan applicants' right to occupy in the Māori Land Court.⁴⁰⁶ In 2004/2005 the programme had underspent its budget of \$20 million. This was attributed to rising land prices and interest rates, although the former may not have been as relevant for the funding of housing on Māori land, although this was not mentioned at the Social Services Committee. Rather, Pat Snedden, Chair of the Housing Corporation Board, lauded the programme stating: 'The Low Deposit Rural Lending Scheme is in fact a flagship process for us in the rural areas. We are winding it out to greater than the areas that it's been to date. We did find that in this last year, we have had significant success with it'.⁴⁰⁷

In his capacity as Associate Minister for Housing, Dover Samuels gave a speech in 2006 describing the Low Deposit Rural Lending Scheme's expansion to other parts of the North Island. According to Samuels, this scheme was the only 'existing product' for 'people wanting to develop multiply-owned Māori land for housing purposes'. The Low Deposit Rural Lending Scheme's also provided housing finance to those living in rural areas who did not meet the Welcome Home Loan lending criteria. Samuels said that this scheme had approved around 1,400 home loans since it began (that is, from 1994/1995 financial year to the beginning of 2006), and that over 10,000 people had attended home ownership workshops around the country (also see Table 5.4).⁴⁰⁸

In June 2008, the Minister of Housing, Maryan Street, appeared before the 2008/2009 Estimates – Vote Housing, Social Services Committee. She described the 'continuation of the money to Papakāinga' in the Budget for 2008/09.⁴⁰⁹ Street stated:

Papakāinga loans continue to be available for those building, buying, or relocating on multiply-owned Māori land. Of course, this is an area of traditional difficulty, because banks tend not to loan on multiply-owned Māori land.⁴¹⁰

⁴⁰⁵ NZ House of Representatives, '2005/06 Estimates Vote Housing. Report of the Social Service Committee', p. 4

⁴⁰⁶ NZ Housing of Representatives, '2005/06 Estimates Vote Housing', Report of the Social Services Committee, p. 4 (accessed 23 November 2022)

⁴⁰⁷ 'NZ Housing of Representatives, '2005/06 Estimates Vote Housing', p. 12

⁴⁰⁸ Dover Samuels, 'Low Deposit Rural Lending Forum Lakeland Resort, Taupo', 20 May 2006, <https://www.beehive.govt.nz/speech/low-deposit-rural-lending-forum-lakeland-resort-taupo> (accessed 23 November 2022)

⁴⁰⁹ '2008/09 Estimates – Vote Housing. Social Services Committee, Appendix B', 25 June 2008, p. 9

⁴¹⁰ '2008/09 Estimates – Vote Housing. Social Services Committee, Appendix B', 25 June 2008, p. 10

In 2011, the Auditor-General's report asserted that the 'comprehensive support and guidance under this programme had a positive effect on the number of loan defaults and helped people into housing who otherwise would not have been able to own a house'.⁴¹¹

Special Housing Action Zones

As part of its Closing the Gaps policy, the Labour-led Coalition Government allocated \$21.6 million in June 2000 (over four years) to establish a pilot in six Special Housing Action Zones located in both rural and urban areas, with 'a regional focus to ensure communities can plan, and deliver housing to their own people'.⁴¹² In rhetoric emblematic of the third-way ideology of public-private partnerships, Housing Minister Mark Gosche asserted that the government needed 'to take a creative and dynamic approach' to improve the housing situation of Māori.⁴¹³ Administered by Te Puni Kōkiri and the Housing New Zealand Corporation, the Special Housing Action Zones Programme partnered government housing agencies and charitable trusts with Māori communities to build new housing. According to historian Ben Schrader, Special Housing Action Zones have 'been among the most successful Māori housing interventions'.⁴¹⁴ This programme's primary objective was 'to resolve serious housing need within a designated Special Housing Action Zone by facilitating and resourcing a hapū, iwi, and/or an appropriate community response'. Its secondary goal was 'to ensure that each housing intervention produces at least one parallel intervention relevant to the Government's social policy goals, such as improved health, employment or training opportunities for hapū, iwi, and local community members'.⁴¹⁵

In the 2003/2004 financial year, it was reported that two organisations were working with 16 households in Te Mahoe (near Whakatāne) and Clendon (in South Auckland).⁴¹⁶ In its 2004 Annual Report, the Housing Corporation included Special Housing Action Zone projects in the Rural Housing Programme.⁴¹⁷ In 2011, as part of a review of the programme a decade since its establishment, the Auditor-General asserted that the implementation of the Special Housing Action Zones programme reflected 'better partnership principles than many other Māori housing interventions'. According to this review, this was because before advising the trust on developing their plans and assessing what kind of

⁴¹¹ Office of the Auditor General, 'Government planning and support for housing on Māori land', 2011, p. 29

⁴¹² Mark Gosche, 'Closing the Gaps: special housing action zones', 15 June 2000, <https://www.beehive.govt.nz/release/closing-gaps-special-housing-action-zones> (accessed 17 January 2023)

⁴¹³ Gosche, 'Closing the Gaps: special housing action zones'

⁴¹⁴ Ben Schrader, 'Māori housing – te noho whare - New housing schemes', *Te Ara - the Encyclopedia of New Zealand*, <http://www.TeAra.govt.nz/en/maori-housing-te-noho-whare/page-4> (accessed 17 January 2023)

⁴¹⁵ Te Puni Kōkiri, 'Statement of Intent', 1 July 2004, p. 23

⁴¹⁶ 'PQ 14851 Home ownership programmes run by Housing New Zealand Corporation as at 8 October 2004', https://www.parliament.nz/resource/en-NZ/QWA_14851_2004/b8315dbb2e2dd38007b21aece3bb34dc1ff3964 (accessed 6 December 2022)

⁴¹⁷ 'Housing New Zealand Corporation Annual Report', 2004, p. 7

assistance the trust needs, the ‘first step in the process is for TPK [Te Puni Kōkiri] staff to visit trusts with housing aspirations and to discuss their plans’.⁴¹⁸ The Māori Demonstration Partnership Fund projects that were progressed as part of the Special Housing Action Zones are discussed in the next chapter.

Rural Housing Programme

The Rural Housing Programme was established to specifically address substandard housing in Northland, the East Coast (including Wairoa), and the Bay of Plenty regions in an attempt to tackle social and economic development in its target areas.⁴¹⁹ In 2001, evaluators Kay Saville-Smith and Nan Wehipeihana (Ngāti Tukorehe, Ngāti Porou, and Te Whānau-ā-Apanui) reported these three areas ‘had persistent and apparently concentrated stocks of dilapidated housing posing significant health and safety risks to those who lived in them’.⁴²⁰ The government’s goal for the programme was the elimination of substandard housing in Northland, the East Coast, and the Bay of Plenty by providing: suspensory loans for essential repairs and infrastructure; home improvement loans (non-suspensory in nature); state rentals; and relocatable dwellings.⁴²¹ Housing New Zealand was to lead this programme through a co-ordinated cross-government response using a social development approach that involved active engagement with and participation of local communities.⁴²² In June 2003, the products listed as available through the Rural Housing Programme included Low Deposit Rural Lending and Papakāinga (Table 5.5). The Rural Housing Programme sparked renewed interest in the papakāinga housing programme that Housing New Zealand had established in 1985 and its potential to assist Māori living in substandard housing.⁴²³

At the beginning of the Rural Housing Programme, the Housing New Zealand Corporation intended to work with community-based organisations (particularly iwi organisations) to support capacity building and facilitate housing projects.⁴²⁴ The programme started in 2001 and ran for a decade; involving communities, iwi social service housing providers, the New Zealand Fire Service, Te Puni Kōkiri, Community Employment Group, Skill New Zealand, local government, health agencies, and the Ministry of Social Development. Housing New Zealand worked with these groups to improve housing

⁴¹⁸ Office of the Auditor General, ‘Government planning and support for housing on Māori land’, 2011, p. 99

⁴¹⁹ Kay Saville-Smith and Nan Wehipeihana, ‘An assessment of the Rural Housing Programme 2001-2005/06: A synthesis of evaluation findings. Rural Housing Programme long-term outcomes evaluation’, Prepared for Housing New Zealand Corporation, 2007, p. i

⁴²⁰ Saville-Smith and Wehipeihana, ‘An assessment of the Rural Housing Programme 2001-2005/06: A synthesis of evaluation findings. Rural Housing Programme long-term outcomes evaluation’, p. i

⁴²¹ Saville-Smith and Wehipeihana, ‘An assessment of the Rural Housing Programme 2001-2005/06’, p. 6

⁴²² CRESA, ‘The Centre in the Delivery of the Rural Housing Programme. 1st Stakeholder Report Long-Term Outcome Evaluation of the RHP. Prepared for the Housing New Zealand Corporation’, August 2004, p. 2

⁴²³ Saville-Smith and Wehipeihana, ‘An assessment of the Rural Housing Programme 2001-2005/06’, p. 6

⁴²⁴ Housing New Zealand Corporation, ‘Housing New Zealand Corporation Annual Report’, 2004, p. 7

quality, increase the supply of affordable houses, and assist communities to manage their own housing needs.⁴²⁵

Table 5.5: Housing New Zealand Corporation Products available for delivery through Rural Housing Programme at June 2003,
Kay Saville-Smith and Nan Wehipeihana, ‘An assessment of the Rural Housing Programme 2001-2005/06: A synthesis of evaluation findings.

Product	Description
Suspensory Loans	Suspensory loan targeted to applicants who fail to qualify for general and/or home improvement loans.
Infrastructure Loans³	Form of suspensory loan payable to community groups for subdivision. Limited to \$15,000 or 20 per cent of the Housing New Zealand Corporation’s advance of total dwelling cost.
Home Improvement Loans	Available for general home improvements and applicants must meet affordability criteria of lending product.
Home Improvement Zones	Funding for communities to develop their own home improvement projects. Funding is tied to planning and management activities.
Low Deposit Rural Lending, Papakāinga, Kapa Hanga Kainga / Sweat Equity	Existing cluster of products with deposits ranging from as high as 20 per cent down to 3 per cent.
State House Rentals	Income-related rents for state-owned rental stock.
Community Loans	Loans for communities/iwi wishing to provide own/rent to buy/manage portfolio within their own rohe. Base loan is 10 years interest free. Also, joint venture loans and 2-year interest free bridging finance for build-to-sell.

The Rural Housing Programme included the Kapa Hanga Kāinga programme, where the sweat equity of whānau and hapū, who were involved in the building of their own homes, was counted. The deposit needed was reduced from five to three per cent and the mortgage interest rate was capped at 7.95 per cent for the first seven years.⁴²⁶ Suspensory loans for infrastructure were also available when people were building or relocating houses in rural areas, to cover the costs of sewerage, water, and electricity supply. Essential Repair Suspensory Loans were to enable critical repairs to be carried out on existing homes where the homeowner was unable to afford repairs themselves. Occupants were not required to pay back the loans, and the loans themselves were written off after three years if the loan conditions were met. To access the loan, dwellings needed to be economic to repair, any repairs carried out had to last at least fifteen years, and they needed to meet Housing New Zealand’s suitability criteria. Home

⁴²⁵ Housing New Zealand Corporation, ‘Housing New Zealand Corporation Annual Report’, 2004, p. 7

⁴²⁶ Murray McCully, ‘Rural Housing Package’, 8 October 1998, <https://www.beehive.govt.nz/release/rural-housing-package> (accessed 6 December 2022)

Improvement Loans were targeted to provide loans for those households that were able to pay back a loan, but could not otherwise afford repairs.⁴²⁷

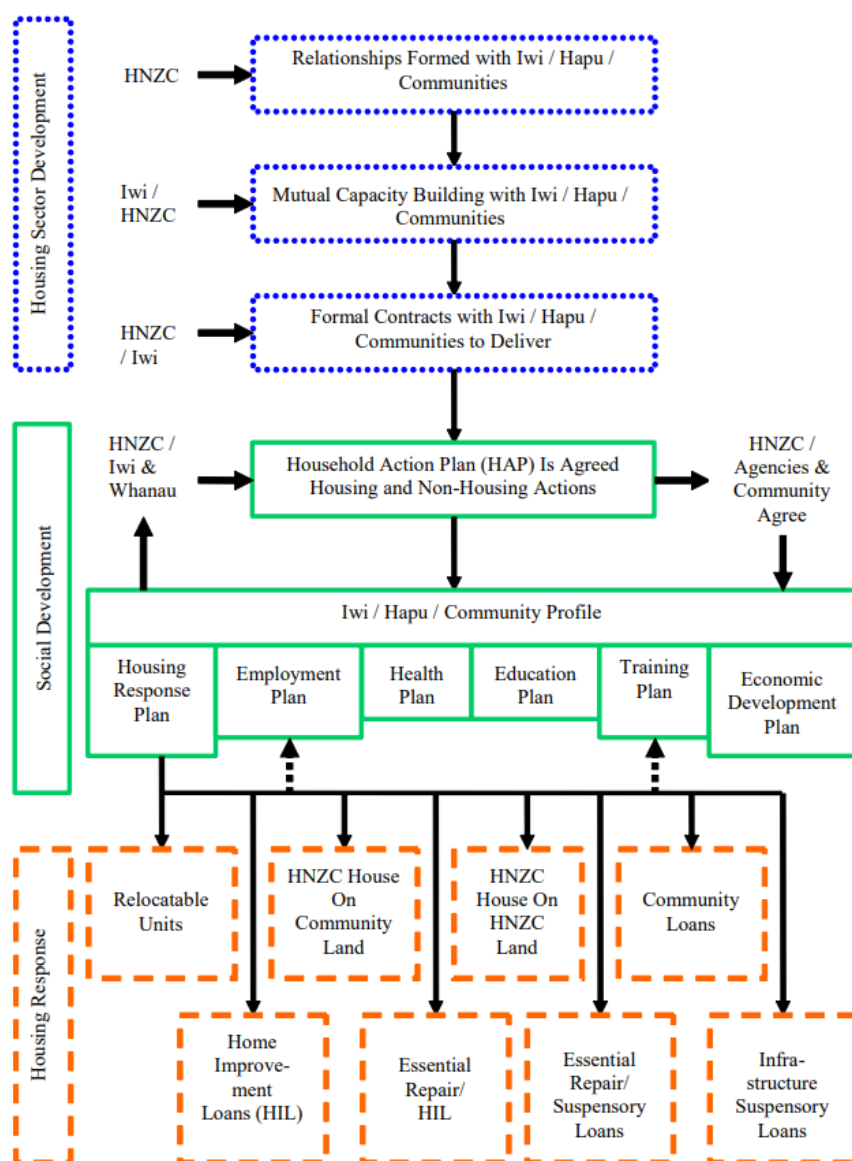


Figure 5.7: Rural Housing Programme processes articulated in 2002/03, Kay Saville-Smith and Nan Wehipeihana, 'Intervention Logic of & Evaluation Framework for NECBOP. Prepared for the Housing New Zealand Corporation', 2003, p.22.

⁴²⁷ Housing New Zealand Corporation, 'Partnership instruction: Essential Repairs Suspensory Loan', 21 November 2002, pp. 5-6, www.beehive.govt.nz/sites/default/files/Essential%20Repairs%20Suspensory%20Loan%20criteria.pdf (accessed 18 December 2022)

The 2002/2003 articulation of the programme's processes included 'relocatable units' and community loans among the housing responses, but there is little indication about whether these housing responses were implemented on Māori land.⁴²⁸ The programme was represented as largely a combination of home repairs, improvements and infrastructure, and Housing Corporation housing alongside a social development response that included health, education, employment and economic development. This was in the context of a sector response where relationships were formed with hapū, iwi and communities (Figure 5.7). In March 2005, National MP Phil Heatley asked the Labour Minister of Housing, Steve Maharey, how many houses had been relocated to Northland under the Rural Housing Programme and the status of these houses. Maharey replied:

Housing New Zealand Corporation has advised me that 49 Corporation houses have been relocated to Northland. Twenty have been placed on sites and are rented out by the Corporation, seven have been sold under the Low Deposit Rural Lending Scheme, and 16 have been allocated to specific sites and are being held in storage while waiting for appropriate consents. The remaining six have been disposed of by tender because they were uneconomic to repair.⁴²⁹

The Northland response forecast for the programme for October 2002 to March 2003 also included a proposal to upgrade the sewerage service for the Te Kao papakāinga subdivision and the provision of two state houses on papakāinga land at Tōrere.⁴³⁰

Evaluation interviews with Housing New Zealand Corporation senior managers and regional managers in 2004 identified that the Rural Housing Programme was not well understood within this organisation. This lack of understanding was attributed to several factors. These included the small nature of the programme relative to Housing New Zealand Corporation's other operational activities (especially management of rental stock), the lack of 'ownership' and management 'sponsorship' of the programme, and the lack of protocols and criteria for community access to Housing New Zealand Corporation's products. At the same time, interviewees acknowledged the Rural Housing Programme team's expertise in building collaborative relationships with communities, working with Housing New Zealand Corporation's Māori clients, and building understandings about sustainable housing.⁴³¹ Overall, however, there was ambivalence about the programme among the managers and a widespread view that

⁴²⁸ Kay Saville-Smith and Nan Wehipeihana, 'Intervention Logic of & Evaluation Framework for NECBOP. Prepared for the Housing New Zealand Corporation', 2003, p. 22

⁴²⁹ Phil Heatley, '3249 (2005). Phil Heatley to the Minister of Housing', 10 March 2005, https://www.parliament.nz/en/pb/order-paper-questions/written-questions/document/QWA_03249_2005/3249-2005-phil-heatley-to-the-minister-of-housing (accessed 6 December 2022)

⁴³⁰ Saville-Smith and Wehipeihana, 'An assessment of the Rural Housing Programme 2001-2005/06: A synthesis of evaluation findings. Rural Housing Programme long-term outcomes evaluation', pp. 14-15

⁴³¹ CRESA, 'The Centre in the Delivery of the Rural Housing Programme. 1st Stakeholder Report Long-Term Outcome Evaluation of the RHP, Prepared for the Housing New Zealand Corporation', pp. 6-7, p. 10

the Corporation's structure and processes did not facilitate the programme or many of its other activities.⁴³²

	PRIVATE-LENDING	PRIVATE-GRANTS	THIRD SECTOR	Housing New Zealand Corporation/PRIVATE
HOME OWNERSHIP	<div>MIS Loan guarantee</div> <div>LDRL Lending for purchase and new builds</div>		<div>RELOCATABLES Can be onsold through rent-to-buy</div>	<div>LEASEBACK Only in conjunction with CORRHL</div>
REPAIRS AND IMPROVEMENT	<div>ISL Grants for essential services</div> <div>HIL Lending for home improvements</div>	<div>ERSL Grants for repairs</div>		
LOCAL SUPPLY			<div>CORRHL Interest free loans</div> <div>HIF Grants and loans</div>	<div>RENTALS Existing stock, new builds, buy-ins or relocatables</div>
PLANNING	<div>NEP Home-ownership education</div> <div>LDRL Budget and loan assistance</div>	<div>LCHI Grants for innovative, low cost housing</div> <div>HOME MAINTENANCE SEMINARS Budgeting and financial literacy</div>	<div>HIF Capability building</div>	
		<div>HIPZ Needs assessment, ERS� processing, Maintenance team, Household Action Plan</div>		

Figure 5.8: Overview of Rural Housing Products and Services, December 2005, Kay Saville-Smith and Nan Wehipeihana, 'An assessment of the Rural Housing Programme 2001-2005/06: A synthesis of evaluation findings. Rural Housing Programme long-term outcomes evaluation', p. 4, Figure 2.1.

Within the first five years of operation, those delivering the Rural Housing Programme also became acutely aware that the extent and severity of substandard housing had been underestimated. Tensions about expected outputs then led to the programme becoming reactive, with staff shifting to targeting health and safety to the exclusion of the sustainability and prevention approach of the programme's policy directive.⁴³³ This reduced the programme's responsiveness to community housing aspirations and ensuring longer-term, sustainable solutions to substandard housing. In December 2005, the

⁴³² CRESA, 'The Centre in the Delivery of the Rural Housing Programme. 1st Stakeholder Report Long-Term Outcome Evaluation of the RHP. Prepared for the Housing New Zealand Corporation', p. 13

⁴³³ Saville-Smith and Wehipeihana, 'An assessment of the Rural Housing Programme 2001-2005/06: A synthesis of evaluation findings. Rural Housing Programme long-term outcomes evaluation', p. i

Corporation provided an overview of these services and products (see Figure 5.8). Papakāinga lending was no longer listed as a product in this overview, with home ownership options consisting of Low Deposit Rural Lending, relocatables, and leaseback from Housing Corporations (where the housing asset was returned to the housing provider trust at the end of the rental agreement period of 10 years).⁴³⁴

In 2005/2006, the Social Services Committee was informed by the Housing Corporation that the Rural Housing Programme had ‘superseded the Special Housing Action Zones,’ which had been disestablished in the 2005 Budget.⁴³⁵ The Housing Corporation as well as those who were delivering the programme also saw it as a ‘flagship’ programme because it was working with communities in new and more collaborative, cross-sectoral, and cross-government ways. However, the commitment to this approach fell away in the first five to six years of the programme, leading researchers Kay Saville-Smith and Nan Wehipeihana to conclude that the programme ‘could have achieved the range of outcomes sought ... if it had been delivered adequately’.⁴³⁶ The evaluators concluded that Housing New Zealand Corporation had faced a ‘raft of difficulties’ shifting to the community-development approach required for the delivery of the Rural Housing Programme.⁴³⁷

There was an on-going lack of recognition of:

- the complex product and relational needs of the Rural Housing Programme. In particular, the Rural Housing Programme required both capacity and relationship building with local communities and the ability to deliver tailored solutions to those communities and households by accessing a flexible range of products.
- the long and short-term responses required by the Rural Housing Programme that address immediate resolution of health and safety issues and the long-term generation of a housing stock that meets the needs of communities.
- the need to balance the reactive focus on essential repairs and the need to prevent the housing stock from falling into sub-standard conditions in the future, and achieve outcomes by engaging with local communities.⁴³⁸

⁴³⁴ Controller and Auditor-General, ‘Government planning and support for housing on Māori land’, p. 93

⁴³⁵ NZ House of Representatives, ‘2005/06 Estimates Vote Housing’, p. 4, https://www.parliament.nz/resource/en-NZ/47DBSCH_SCR3203_1/a065cb1a862516cacd7c6a369be948c04469d807 (accessed 17 January 2023)

⁴³⁶ Saville-Smith and Wehipeihana, ‘An assessment of the Rural Housing Programme 2001-2005/06: A synthesis of evaluation findings. Rural Housing Programme long-term outcomes evaluation’, p. i

⁴³⁷ Saville-Smith and Wehipeihana, ‘An assessment of the Rural Housing Programme 2001-2005/06: A synthesis of evaluation findings. Rural Housing Programme long-term outcomes evaluation’, p. i

⁴³⁸ Saville-Smith and Wehipeihana, ‘An assessment of the Rural Housing Programme 2001-2005/06: A synthesis of evaluation findings. Rural Housing Programme long-term outcomes evaluation’, p. ii

The problems arising from this were exacerbated by a lack of active engagement between Housing New Zealand Corporation and other government agencies.⁴³⁹

Table 5.6: Rural Housing programme needs assessments by regions, and interventions, 2001/02-2006/07
Notes: 1. The total number of interventions is not recorded on a regional basis; 2. Excludes generic Corporation products such as state rental housing, and low de deposit rural lending. 3. Excludes Welcome Home Loans, private sector, or community owned rental housing, and support available from other agencies. 4. Northland, East Coast, and Bay of Plenty⁴⁴⁰

Region	2001/02	2002/03	2003/04	2004/05	2005/06	2006/07	Total
Bay of Plenty	365	43	198	153	102	94	955
East Cape/Hawkes Bay	80	86	71	122	121	97	577
Manawatū/Taranaki/Wairarapa			19	17	2		38
Northland	480	357	328	130	175	203	1673
South Auckland				13	17	20	50
Southern					7	13	20
Waikato/Coromandel/King Country		13		38	11	4	66
West and North Auckland				19	5	7	31
Total	925	499	616	492	440	438	3410
Interventions ^{1,2,3}							
Essential Repairs Suspensory Loans ⁴	203	249	305	269	301	290	1617
Essential Repairs Suspensory Loans - Roll out areas	0	0	66	141	73	47	327
Infrastructure Suspensory Loans	1	31	17	19	22	48	138
Special Housing Action Zone Loans		36	34				70

In 2007, in response to a question from Phil Heatly to the Minister of Housing, Maryann Street, the Housing Corporation reported on the number of needs assessments that had been undertaken under the Rural Housing programme, and what interventions it undertook between 2001/2002 and 2006/2007 (see Table 5.6).⁴⁴¹ This table shows the extent of funding of essential repairs and infrastructure, but does not provide details about housing loans under the scheme.

⁴³⁹ Saville-Smith and Wehipeihana, 'An assessment of the Rural Housing Programme 2001-2005/06: A synthesis of evaluation findings. Rural Housing Programme long-term outcomes evaluation', p. ii

⁴⁴⁰ PQ 19021: Number of needs assessments Housing New Zealand Corporation undertook under the Rural Housing programme, by region, and the number of interventions it made under the programme between 2001/02 and 2006/07', https://www.parliament.nz/resource/enNZ/QWA_19021_2007/3bab540f05d2dd25de8398f09e8b64611930e8b1 (accessed 6 December 2022)

⁴⁴¹ 'PQ 19021: Number of needs assessments Housing New Zealand Corporation undertook under the Rural Housing programme, by region, and the number of interventions it made under the programme between 2001/02 and 2006/07'

The roll-out of loans was slow, to the extent that by mid-2005, more than half of the households that had entered the programme in 2001 had still not received assistance (see Table 5.7). The delays were attributed to the lack of clarity about finance, resourcing, and operational policy that occurred as the Housing New Zealand Corporation struggled to change from an immediate response mode to a sustainable housing mode, and from a direct delivery housing approach to a community-based and capacity-building housing approach.⁴⁴² The 2007 synthesis of evidence about the programme's effectiveness identified policy, process and informational improvements that were needed. These included: balancing short-term and long-term targets so that 'at risk' housing did not become severely dilapidated; robust housing condition surveys; establishment of a transparent and widely accepted view of the levels of repair that would be undertaken; a flexible range of products and assistance that could be tailored to housing stock and mechanisms to ensure collaborations between stakeholders and key agencies.⁴⁴³

Table 5.7: Rural Housing Programme status of householders by year of programme entry (File Survey 2005), Saville-Smith and Wehipeihana, 'An assessment of the Rural Housing Programme 2001-2005/06: A synthesis of evaluation findings. Rural Housing Programme

Entry Year	Percentage of Completed Households	Percentage of in Process Households
2001	42.2	57.8
2002	26.9	73.1
2003	48.7	51.3
2004	33.3	66.7
2005	20.0	80.0

In early 2006, in-depth interviews were conducted with 28 householders who had received housing assistance through the Rural Housing Programme. Interviewees described the positive differences the programme had made to their physical, mental, and whānau wellbeing by making their housing situation better.⁴⁴⁴ Before their engagement with the programme, 19 interviewees said their dwelling was in poor or very poor condition, and in need of immediate – often extensive – repair.⁴⁴⁵ The focus of the

⁴⁴² Saville-Smith and Wehipeihana, 'An assessment of the Rural Housing Programme 2001-2005/06: A synthesis of evaluation findings. Rural Housing Programme long-term outcomes evaluation', p. i

⁴⁴³ Saville-Smith and Wehipeihana, 'An assessment of the Rural Housing Programme 2001-2005/06: A synthesis of evaluation findings. Rural Housing Programme long-term outcomes evaluation', p. iii

⁴⁴⁴ Kay Saville-Smith and Nan Wehipeihana, 'Findings of in-depth interviews with recipients of Rural Housing Programme assistance. Rural Housing Programme Long-Term Outcomes Evaluation. Prepared for Housing New Zealand Corporation', Wellington: CRESA, 2006, pp. i-iii

⁴⁴⁵ Saville-Smith and Wehipeihana, 'Findings of in-depth interviews with recipients of Rural Housing Programme assistance. Rural Housing Programme Long-Term Outcomes Evaluation', p. 11

programme for those interviewed was therefore on repairs and maintenance, with no mention of whether new or existing housing was on Māori land. A file survey undertaken by the evaluators in 2005 revealed that 18.5 per cent of the households assisted through the programme were living in a whānau home, papakāinga, or on Māori land.⁴⁴⁶ Overall, for the 273 household files examined, Essential Repairs Suspensory Loans were provided to half of the households accessing the programme.⁴⁴⁷ There is no mention of papakāinga housing being facilitated, but it is possible that repairs and maintenance loans were provided for whānau living in housing on Māori land. The following comment about a dwelling assessment highlights that whānau remained interested in new builds on their land and anticipated that the programme might be able to help them:

House is past its useful life. Owners want to build a new home on family trust land. Any house on this land would need built up foundations too low lying if river floods. 800 acres block and family are hoping a minimum 10 houses can be built under papakāinga zoning.⁴⁴⁸

Between 2001 and 2010, \$139.5 million was spent on essential repairs to houses and infrastructure, and a limited number of replacement houses. Between 2001/2002 and 2010/2011, 2,900 houses were repaired.⁴⁴⁹ In 2010, the Department of Building and Housing concluded that the programme did not provide value for money as it did not lead to sustainable improvements in the rural housing stock; it had failed to deliver its objective of eliminating poorly maintained houses for the regions it targeted and would prove insufficient to the task for the foreseeable future.⁴⁵⁰

Housing Innovation Fund

In 2003, the Labour Government launched the Housing Innovation Fund to ‘work more closely in partnership with churches, the community, local government and others’.⁴⁵¹ The objective of the Housing Innovation Fund was the provision of housing for people on a low income and/or with special needs.⁴⁵² The fund was therefore aimed at low- and moderate-income households who were struggling in the private housing market, but still unlikely to secure a state rental, as well as Māori and Pacific

⁴⁴⁶ CRESA, ‘Findings of the Rural Housing Programme File Survey Long-Term Outcome Evaluation of the RHP Prepared for the Housing New Zealand Corporation’, December 2005, p. 10

⁴⁴⁷ CRESA, ‘Findings of the Rural Housing Programme File Survey Long-Term Outcome Evaluation of the RHP Prepared for the Housing New Zealand Corporation’, December 2005, p. 18

⁴⁴⁸ Saville-Smith and Wehipeihana, ‘An assessment of the Rural Housing Programme 2001-2005/06: A synthesis of evaluation findings. Rural Housing Programme long-term outcomes evaluation’, p. 97

⁴⁴⁹ Office of the Auditor General, ‘Government planning and support for housing on Māori land’, 2011, p. 30

⁴⁵⁰ New Zealand Productivity Commission, *Housing Affordability Inquiry*, Wellington: New Zealand Productivity Commission, 2012, p. 248

⁴⁵¹ ‘Maharey launches new social housing funding’, 11 October 2003, <https://www.beehive.govt.nz/release/maharey-launches-new-social-housing-funding> (accessed 6 December 2022)

⁴⁵² Department of Building and Housing, ‘New Zealand Housing Report 2009/2010: Structure, pressures and issues’, 2010, p. 89

households, and those with disabilities. In the initial four years of the fund there was \$63 million available.⁴⁵³ The Housing Minister Steve Maharey stated in 2003:

We know that many non-government organisations want to get involved in social housing and the two new funds will support them to do so ... capital funding, grants and low interest loans for demonstration projects will be available for partnerships between Housing New Zealand Corporation (HNZC) and community groups to buy, build or modify rental accommodation and to develop affordable home ownership opportunities.⁴⁵⁴

The initial Māori ‘focus’ of the Housing Innovation Fund was conflated with household poverty (in the second objective: ‘low income households whose specific housing requirements are not being fully met by the market or by current housing instruments, such as iwi, Māori groups, and Pacific peoples’).⁴⁵⁵ With iwi/Māori as a ‘target group’ for housing, rather than an organisational recipient to facilitate housing, it is not surprising that outcomes for Māori were somewhat limited prior to 2011. Only a ‘small proportion’ of community-based organisations and local authorities provided housing for Māori.⁴⁵⁶ In their 2006 report on the Housing Innovation Fund, Ingrid van Aalst and Chris Daly noted that:

Four CBOs [community-based organisations] identified that the Corporation was a barrier preventing them undertaking a housing project. These included ... the Corporation’s ‘lack of consultation in being responsive to Pacific/Māori/elderly needs’.⁴⁵⁷

In their 2007 report, van Aalst and Daly found that four of the 28 recipients of capital funding were iwi/Māori.⁴⁵⁸ However, they described in their evaluation ‘papakāinga development, Māori land ownership’ as ‘other housing related activities’, with most community-based organisations involved in low-cost rental accommodation, followed by assisting with low-cost home ownership, and emergency housing.⁴⁵⁹ Nearly two-thirds of the funding for Māori housing organisations within the Housing Innovation Fund was distributed in the last two years of the fund. It is not clear what proportion of

⁴⁵³ Western Bay of Plenty District Council Maori Forum, ‘Development of housing on multiple-owned Māori land in the Western Bay of Plenty’, 2005, p. 37

⁴⁵⁴ ‘Maharey launches new social housing funding’, 11 October 2003, <https://www.beehive.govt.nz/release/maharey-launches-new-social-housing-funding> (accessed 6 December 2022)

⁴⁵⁵ Ingrid van Aalst and Chris Daly, ‘The Outcomes Evaluation of the Housing Innovation Fund Report on - Phase One of the Evaluation for Housing New Zealand Corporation’, Wellington: PS Services, 2006, p. 20

⁴⁵⁶ van Aalst and Daly, ‘The Outcomes Evaluation of the Housing Innovation Fund Report on - Phase One of the Evaluation for Housing New Zealand Corporation’, p. 75

⁴⁵⁷ van Aalst and Daly, ‘The Outcomes Evaluation of the Housing Innovation Fund Report on - Phase One of the Evaluation for Housing New Zealand Corporation’, p. 86

⁴⁵⁸ Ingrid van Aalst and Chris Daly, ‘The Outcomes Evaluation of the Housing Innovation Fund - Report on Phase Two of the Evaluation for Housing New Zealand Corporation’, Wellington: PS Services, 2007, p. 15

⁴⁵⁹ van Aalst and Daly, ‘The Outcomes Evaluation of the Housing Innovation Fund - Report on Phase Two of the Evaluation for Housing New Zealand Corporation’, pp. 22-23

funding was provided for papakāinga housing, or housing on Māori land more generally. Information assembled by Scott Figenshow (the chief executive of Community Housing Aotearoa) showed a higher average spend on houses by Māori organisations receiving Housing Innovation Fund funding (2004-2011) but more funding for (4.9x) and more homes built by (5.4x) non-Māori community housing providers and registered charities. The rate of home builds for Māori housing organisations was around 13 per year (Table 5.8). By 2011, when the Housing Innovation Fund was disestablished, a total of 679 homes had been built, including 105 homes built by Iwi and Māori housing organisations.⁴⁶⁰

Table 5.8: Housing Innovation Funding, Māori, and non-Māori housing organisations, 2004-2011, Appendix A. Answers from Scott Figenshow to questions in writing from Michael Sharp (Wai 2750, # 3.2.68), pp. 4

	Homes	Funding	% of total funding	Total project value	Average cost per house
Non-Māori CHPs & Registered Charities	574	\$73,109,611	83	\$163,609,581	\$285,034
Iwi and Māori Housing Organisations	105	\$14,912,329	17	\$34,213,684	\$325,844
Total	679	\$88,021,940	100	\$197823,265	\$291,345

In 2005, the Labour Government released its National Housing Strategy, *Building the Future*.⁴⁶¹ The Steering Group that had developed the strategy consisted of Housing New Zealand Corporation (lead), Treasury, the Department of the Prime Minister and the Cabinet, the Ministry of Social Development, Housing, Health, Pacific Island Affairs, and Te Puni Kōkiri. The strategy was described by Housing Minister, Steve Maharey, as ‘the first time a government has brought together a housing strategy and set out the wider housing agenda it is working to’. In his speech at the launch of the Strategy, he acknowledged the increasing unaffordability of housing, declining home ownership and issues related to build quality homes (probably a reference to the leaky homes crisis rather than the housing challenges Māori were still facing). As Maharey outlined: ‘The Strategy’s vision for housing is that all New Zealanders have access to affordable, sustainable, good quality housing that is appropriate to their needs’, with Māori and iwi mentioned as stakeholders alongside government in steering the direction of the housing sector.⁴⁶² Sociologist David Thorns argued that this strategy explicitly recognised housing as an instrument of economic and social policy, such that more government action was needed

⁴⁶⁰ Appendix A. Answers from Scott Figenshow to questions in writing from Michael Sharp (Wai 2750, # 3.2.68), pp. 3-4

⁴⁶¹ Housing New Zealand Corporation, ‘Building the future: New Zealand Housing Strategy’, 2005

⁴⁶² Steve Maharey, ‘Building the future – Launch of the New Zealand Housing Strategy.’ 5 May 2005, <https://www.beehive.govt.nz/node/23059> (accessed 15 November 2022)

than just demand side income supplementation.⁴⁶³ The consultation booklet that preceded and informed this strategy described the availability of papakāinga housing mortgage funding for those who met the eligibility criteria (these were the same as originally proposed by the Housing Corporation in the 1980s).⁴⁶⁴ This strategy itself identified Māori housing initiatives, including,

- increasing opportunities for Māori home ownership in rural and urban areas
- building housing on multiply-owned land in parameters with iwi, hapū and Māori organisations as primary initiatives for Māori housing.⁴⁶⁵

In summary, in the mid 1980s the Papakāinga Housing Research Group's proposal to facilitate housing on Māori land without the need for partitioning met with widespread Māori approval. At the same time, the Housing Corporation was developing a proposal for building on Māori land in response to calls for it to be more proactive and subsequently launched the Papakāinga Lending Scheme 1987. The initially high loan approvals through this scheme had dropped away by the end of the 1990s and the Scheme ended in 2008. Other Crown initiatives were only modestly successful at facilitating housing on Māori land, although the Rural Housing Programme's house repairs component resulted in improvements for many Māori homes in Northland, Bay of Plenty and the East Coast. When the National Housing Strategy was launched in 2005, papakāinga funding remained on the Crown's agenda.

5.7 What were the impacts for Māori of the Crown's initiatives?

This section takes a broad view of what was happening for Māori during this time period, especially with respect to homeownership and the impact of the counter-migration of Māori from urban centres to rural districts. While the declining Māori homeownership rates of the late 1970s continued, this decline differed for Māori in urban centres and those in rural districts.

Laurence Murphy and Dorothy Urlich Cloher reported that home ownership in Te Taitokerau declined slightly from 1981 (59.6 per cent) to 1991 (58.8 per cent), in spite of the return/in-migration into Northland.⁴⁶⁶ During this period, the number of Māori families with mortgages increased by six (families) or 0.2 per cent, whereas the non-Māori figure rose by 10 per cent. Murphy and Urlich Cloher

⁴⁶³ Thorns, 'The remaking of housing policy: The New Zealand housing strategy for the 21st century', p. 24

⁴⁶⁴ Housing New Zealand Corporation, 'Building the future: Towards a New Zealand housing strategy. A discussion document', 29 April 2004, p. 39

⁴⁶⁵ Housing New Zealand Corporation, *Māori housing trends*, Wellington: Housing New Zealand Corporation, 2008, p. 54

⁴⁶⁶ Murphy and Urlich Cloher, 'Economic restructuring, housing policy and Māori housing in Northland, New Zealand', p. 329

attributed this to Māori having less access to mortgage finance because of low incomes, and having rural land holdings in places where regional economies had problems.⁴⁶⁷

In her 1990 essay, 'Surviving in paradise', Gloria Herbert (Te Uriotai o Pawarenga) wrote about moving back to Pawarenga in the Hokianga in 1953, and how the outward migration she had observed close up at that time had become a counter movement during the 1980s. Rather than the stagnant homeownership rates described by Murphy and Ulrich Cloher, Herbert's observations of the goings-on in her own rural community told a more positive story. She described how the reverse migration led to the transformation of the community as old papakāinga were restored and new homes built, which included both attractive modern houses as well as modest garage-type dwellings. Herbert stated: 'Throughout Tai Tokerau, and indeed in rural communities throughout Aotearoa, there is a renaissance, a coming home of the people'.⁴⁶⁸

In 1986, Edward Douglas argued that being Māori was a factor which was associated with declining home ownership, and that the government needed to take more action to promote housing equity.⁴⁶⁹ Douglas explained:

Half or more of Pākehā occupiers are home owners (with or without mortgages) by their mid to late twenties. Indeed half of all the men in the Pākehā population are home owners by their early thirties. In contrast, half or more of Māori occupiers do not become home owners until they are into their late thirties, and more than half of all men in the Māori population never become home owners.⁴⁷⁰

To raise Māori homeownership to equitable levels to non-Māori by 1990, Professor Whatarangi Winiata (Ngāti Raukawa) recommended that urgent consultation be undertaken by the Housing Corporation and the Department of Māori Affairs with a view to increasing Māori access to Housing Corporation loans, altering lending regulations (including raising the loan ceiling, lengthening loan terms, and reducing the interest rate) so that Māori with incomes below the median could access home loans.⁴⁷¹ In Douglas's estimation, more than 2,500 Māori house mortgages were needed each year for Māori to achieve home ownership equity with Pākehā. He proposed that the responsibility for this be shared by the Housing Corporation, the Department of Māori Affairs, the building industry, and other government departments

⁴⁶⁷ Murphy and Ulrich Cloher, 'Economic restructuring, housing policy and Māori housing in Northland, New Zealand', p. 329

⁴⁶⁸ Gloria Herbert, 'Surviving in paradise', *Puna wairere - Essays by Māori*, Wellington: New Zealand Planning Council, 1990, p. 49

⁴⁶⁹ Douglas, *Fading expectations: The crisis in Māori housing: a report for the Board of Maori Affairs*, p. 9, p. 89

⁴⁷⁰ Douglas, *Fading expectations: The crisis in Māori housing: a report for the Board of Maori Affairs*, p. 11

⁴⁷¹ Winiata, 'Māori home ownership', pp. 303-304

as appropriate (such as the Department of Social Welfare). Douglas suggested that joint action be facilitated through the appointment of Māori to the Board of the Housing Corporation and the National Housing Commission, and that the Department of Māori Affairs take the lead in reducing the backlog of Māori housing through an increased target of 1,600 houses per year.⁴⁷² Even with these proposals, Douglas stated that the average house that he proposed providing for Māori would ‘still be modest in nature’ and nowhere near the value of the average house occupied by non-Māori (attributing this to the economic disparity between Māori and non-Māori).⁴⁷³

In 1991, 55.3 per cent of Māori dwellings were owner occupied (with or without a mortgage), compared to 73.6 per cent of all dwellings.⁴⁷⁴ At the same time as the rate of Māori as homeowners had been declining, a higher Māori birth rate meant that Māori housing demands had been growing at a faster rate than for the general population. These demands and the relatively low incomes of Māori resulted in Māori-led households experiencing proportionally more housing overcrowding than Pākehā-led households.⁴⁷⁵

The 1991 Māori Women’s Housing Research project’s report (commissioned by Department of Social Welfare) highlighted the lack of engagement Māori women had with the private lending market for mortgage finance because of their inability to raise the required deposit or service a mortgage.⁴⁷⁶ While many Māori women on low or modest incomes were confident they could pay a mortgage (as they were paying rent), they were unable to save the \$2,500 or \$3,000 deposit.⁴⁷⁷ If they did manage to save a deposit, their loan limit was often too low for the housing market. Their options then were a substandard and therefore cheaper home, or a second mortgage.⁴⁷⁸ Home ownership was even less attainable for rural Māori women who faced a shortage of existing houses and high costs for new houses (including infrastructure, surveying and permits needed). The alternatives to the private lending market were the Housing Corporation or the Iwi Transition Agency, both of which helped Māori based on similar serious housing need criteria.⁴⁷⁹ This report’s authors argued that ‘successive Governments have not adequately

⁴⁷² Douglas, *Fading expectations: The crisis in Māori housing: a report for the Board of Maori Affairs*, p. 89

⁴⁷³ Douglas, *Fading expectations: The crisis in Māori housing: a report for the Board of Maori Affairs*, p. 89

⁴⁷⁴ Department of Statistics, *New Zealand Official Year Book*, 1993, https://www3.stats.govt.nz/New_Zealand_Official_Yearbooks/1993/NZOYB_1993.html?_ga=2.24590462.57923358.1671077262-1203001239.1669497120 (accessed 17 January 2023)

⁴⁷⁵ David C. Thorns, *Fragmenting societies? A comparative analysis of regional and urban development*, Routledge, 1992, p. 233

⁴⁷⁶ Māori Women’s Housing Research Project, *For the sake of decent shelter*, Wellington: Housing Corporation of New Zealand, 1991, p. 30

⁴⁷⁷ Māori Women’s Housing Research Project, *For the sake of decent shelter*, p. 41

⁴⁷⁸ Māori Women’s Housing Research Project, *For the sake of decent shelter*, p. 42

⁴⁷⁹ Māori Women’s Housing Research Project, *For the sake of decent shelter*, p. 30

addressed the issue of Māori housing and that the State therefore bears responsibility for the present situation’.⁴⁸⁰

In 2001, the Māori home ownership rate was 44.0 per cent (compared to 71.4 per cent for Other/non-Māori) (see Figure 5.9 below).⁴⁸¹ At the same time, Māori households’ share of owner-occupied households increased from 5.3 per cent in 1981 to 6.5 per cent in 2001.⁴⁸² By 2006, 43.3 per cent of Māori lived in owner-occupied homes.⁴⁸³

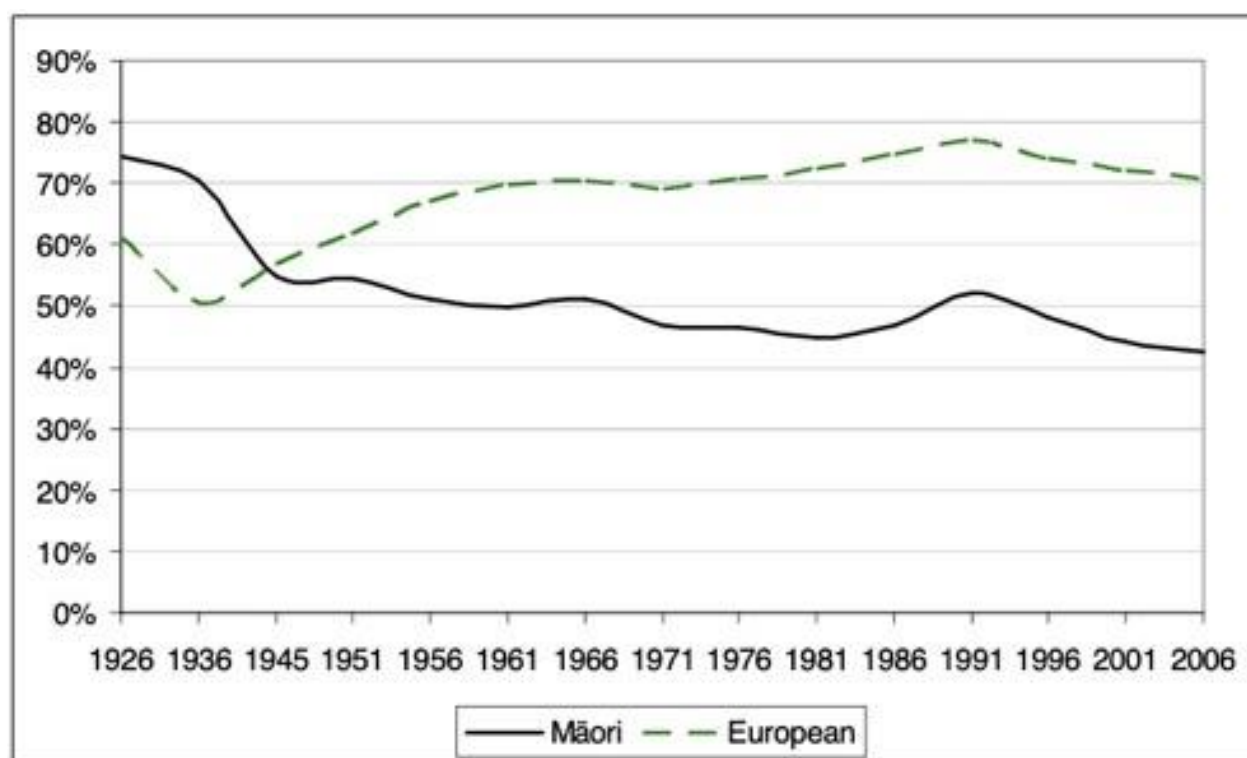


Figure 5.9: Proportion of households living in owner-occupied homes, by selected ethnicity (1926-2006), Michael Flynn, Sherry Carne, and Ma'anaima Soa-Lafoa'i, 'Māori housing trends 2010', Housing New Zealand Corporation, 2010, p. 49

Home ownership rates among Māori remained the highest in rural areas.⁴⁸⁴ Between 1986 and 1991, the increase in the proportion of Māori living in an owner-occupied dwelling increased at a faster rate in

⁴⁸⁰ Māori Women's Housing Research Project, *For the sake of decent shelter*, p. 3

⁴⁸¹ DTZ New Zealand, 'Changes in the structure of the New Zealand housing market', 2004, p. 10

⁴⁸² DTZ New Zealand, 'Changes in the structure of the New Zealand housing market', 2004, p. 11

⁴⁸³ Michael Flynn, Sherry Carne, and Ma'anaima Soa-Lafoa'i, 'Māori housing trends 2010', Housing New Zealand Corporation, 2010, p. 55

⁴⁸⁴ Murphy and Ulrich Cloher, 'Economic restructuring, housing policy and Māori housing in Northland, New Zealand', p. 326

rural areas, while the impact of the economic reforms in the 1990s were more keenly felt in urban areas with double digit drops in the proportion of Māori living in owner-occupied dwellings between 1991 and 1996 and again between 1996 and 2001 (see Figure 6.10). In 2001, increases in Māori home ownership occurred in the Far North, Gisborne, Palmerston North, and Lower Hutt.⁴⁸⁵ The overall percentage of homeownership was higher for Māori living in rural areas (54.2 per cent vs. 40.4 per cent in urban areas). While this cannot be confidently attributed to the Crown's funding of Māori homes on Māori land, it is probable that the availability of Housing Corporation mortgages had some impact. Other contributing factors include those who returned from urban centres building homes or garages on their land with funds they had accumulated. Even so, a commonly held view at this time was that 'the number of Māori living on, or wanting to live on, land that is under multiple-title was restricted' as barriers still existed to building papakāinga housing.⁴⁸⁶

Overall, the nationwide decline in home ownership occurred at a faster rate for Māori than for the European population. Māori home ownership fell by 20 per cent between 1986 and 2013, with this decline greater in urban areas than rural areas (around 27.5 per cent versus 10 per cent respectively).⁴⁸⁷

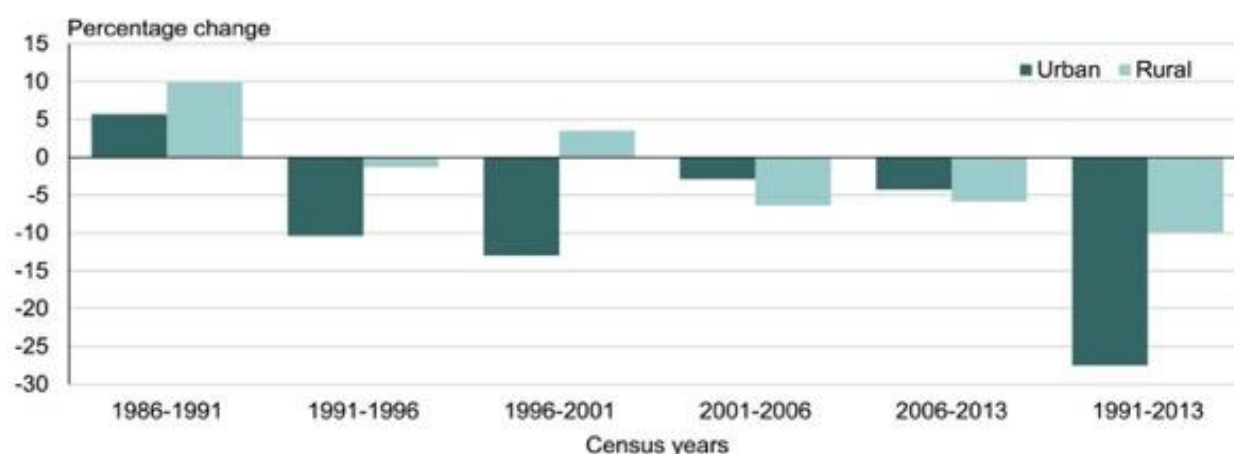


Figure 5.10: Percentage change in proportion living in owner-occupied dwellings. For Māori ethnicity and urban/rural area, 1986-2013 Census, StatsNZ, 2016, p. 22, Figure 13

⁴⁸⁵ Charles Waldegrave, Catherine Love, and Shane Stuart, 'Urban Māori responses to changes in state housing provision', *Social Policy Journal of New Zealand*, 14, 2000, p. 59

⁴⁸⁶ Flynn, Carne, and Soa-Lafoa'i, 'Māori housing trends 2010', p. 51

⁴⁸⁷ StatsNZ, 'Changes in home-ownership patterns 1986-2013: focus on Māori and Pacific people', Wellington: Statistics New Zealand -Tatauranga Aotearoa, 2016, p. 18, p. 21

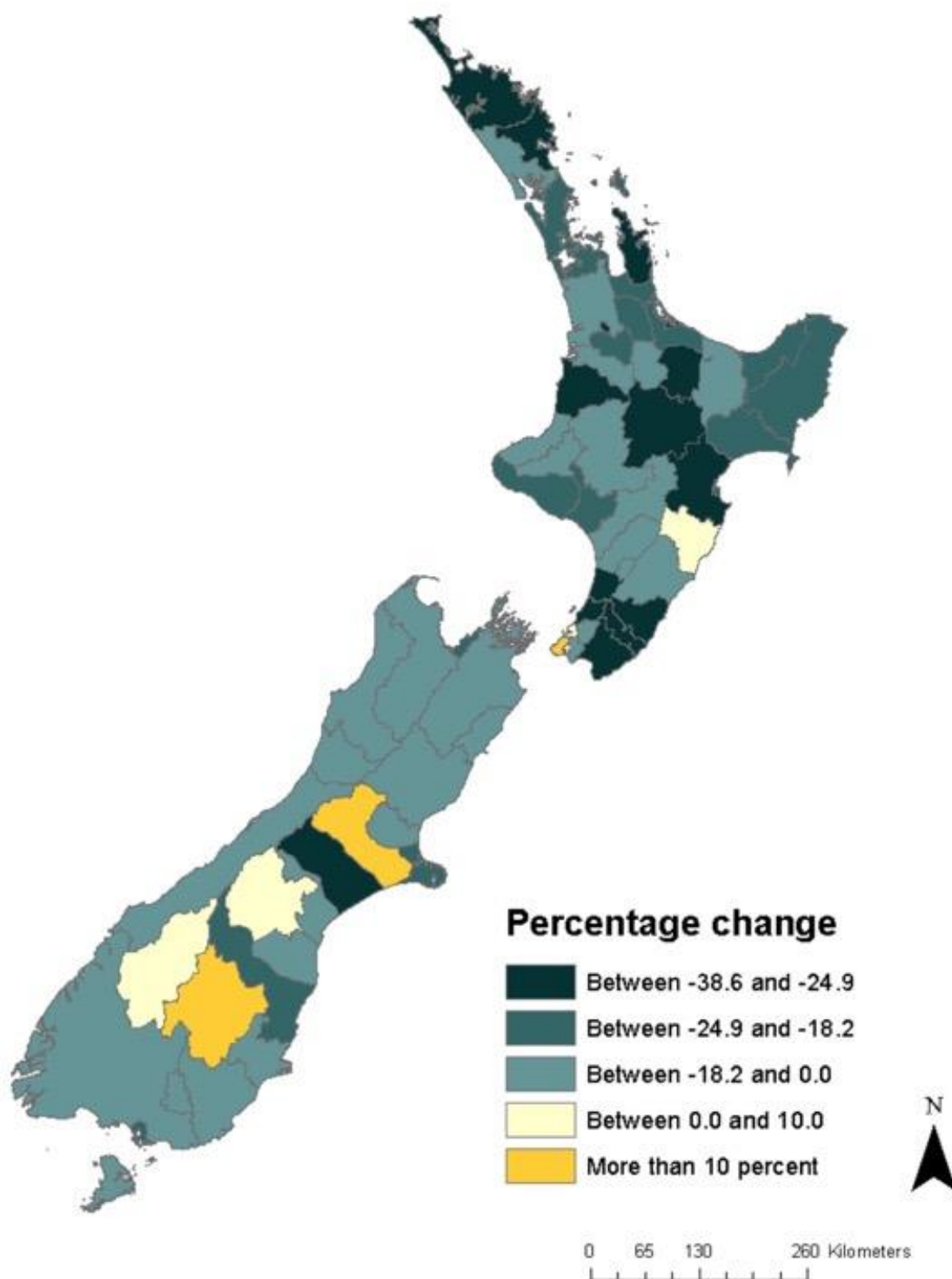


Figure 5.11: Percentage change for Māori living in owner-occupied dwellings, 1986 and 2013 Censuses, StatsNZ, 'Changes in home-ownership patterns 1986–2013: focus on Māori and Pacific people', Wellington: Statistics New Zealand -Tatauranga Aotearoa, 2016, p. 25

By 2013, the Māori home ownership rate in rural areas was 51 per cent, whereas in urban areas it had dipped to 44.8 per cent.⁴⁸⁸ Between 1986 and 2013, the largest declines in the percentage of Māori living in an owner-occupied dwelling occurred in Tauranga city (-38.6 per cent), Carterton district (-31.0 per cent), Rotorua district (-30.8 per cent), and Hastings (-30.0 per cent) (see Figure 5.11).⁴⁸⁹

In summary, Crown funding of mortgages for homes to be built or relocated onto Māori land may have provided a buffer to the declining overall homeownership rates among Māori during this time period. Other buffers may have been access to other sources of mortgage finance and the probability that some of those returning to their home places from urban centres took funding with them that enabled them to purchase a home or restore an existing homestead. A stocktake of Māori housing in rural areas is not, however, a proxy for Māori housing on Māori land. It has been difficult to source information about how many homes were built on Māori land during this time period, although the decline in access to funding in the 1990s and 2000s strongly suggests that the actual number would be low. In addition, the partitioning of Māori land for housing continued throughout.⁴⁹⁰ It therefore remains plausible that some Māori housing continued to be built on partitioned land.

5.8 Conclusion

Hui Taumata 1984 brought calls from Māori leaders for the Crown to facilitate Māori solutions to Māori problems. An uneasy alliance between Māori and the Fourth Labour Government, elected the same year, meant that the reforms of the Government occurred in the context of Māori realising some of their aspirations for tribal development. The Labour Government's housing reforms were also a more moderate version of the ones advised by the Treasury, so that Crown support for affordable housing continued. The National Government, elected in 1990, however, continued a programme of reforms that led to the sale of State-sponsored mortgages and the implementation of an Accommodation Supplement in conjunction with market rents for social housing. While the Labour-Alliance Government wound back many of the housing reforms when it was elected in 1999, the Accommodation Supplement remained. The reforms of the late 1980s and 1990s led to increased Māori unemployment combined with increased housing unaffordability. The counter-migration of Māori, out of urban centres and back to their tribal areas, reflected the loss of the cultural utility that these urban centres had once offered.

⁴⁸⁸ StatsNZ, 'Changes in home-ownership patterns 1986–2013: focus on Māori and Pacific people', p. 17

⁴⁸⁹ StatsNZ, 'Changes in home-ownership patterns 1986–2013: focus on Māori and Pacific people', p. 18, p. 21

⁴⁹⁰ Hitchcock, 'Financing Maori land development: The difficulties faced by owners of Maori land in accessing finance for development and a framework for the solution', p. 217

Te Ture Whenua Māori Act 1993 sought to ensure the retention of Māori land in Māori hands. This was a time when Māori were clearly expressing what land meant to them, including its importance for Māori wellbeing. However, the Crown did not act to ensure that local government would be culturally responsive in its dealing with Māori over land issues. While offering guidance for this in the Local Government Act 2002, this responsiveness continued to be left to the discretion of district and regional councils, with Māori consequently still feeling pressures over rating regimes for the land and, for some whānau, the accumulation of rates arrears. Difficulties negotiating housing on Māori land within this context persisted.

During the 1980s, the Housing Corporation and the Papakāinga Housing Research Group both sought ways in which Māori could obtain finance to build houses on their land without the risk of the land being alienated if a mortgagee defaulted. The Papakāinga Housing Research Group, established following hui in Whangārei in 1984, gained widespread Māori support for their proposal that included the occupation right becoming the security. The Housing Corporation, in turn, trialled its scheme that the house itself was the security and, as such, needed to be built so that it was removable. The Housing Corporation's scheme prevailed and initially several hundred loans were subsequently approved for housing on Māori land. These approvals declined steeply in the 1990s and into the 2000s, with the reasons for this decline including the zoning and rating of Māori land, a lack of landowner agreement about housing, and financial hardship among Māori impacted by economic reforms.

The Rural Housing Programme, introduced in 2001, offered an alternative to the Papakāinga Lending Scheme. The Rural Housing Programme promoted access to mortgage finance for Māori wishing to build on Māori land, among several other supports and tools. The Programme provided significant financial support for the repair and maintenance of houses, with this positively impacting the lives and wellbeing of Māori. Research throughout the 1980s and 1990s continued to highlight the need for the repair and renovation of rural Māori housing. However, repairing homes became the default setting for the Rural Housing Programme. It was not well socialised within or supported across the Housing Corporation and so mortgage lending to Māori to build on Māori land was downplayed. In spite of calls by Māori for the Housing Corporation to become more culturally responsive to Māori housing aspirations, the Corporation remained largely without the capacity to support housing on Māori land. The loss of the housing lending function of the various iterations of the Department of Māori Affairs through to Te Puni Kōkiri therefore left a gap that the Housing New Zealand Corporation failed to fill during this time period, despite clear evaluative feedback about what was happening and the reasons why.

The stalling of Crown funding for Māori to build housing on Māori land occurred at a time when Māori home ownership was declining. Building on Māori land was a viable option because the land was already owned by Māori and did not factor into the cost of housing. Many Māori and non-Māori

commentators and Crown-initiated inquiries made recommendations about what was needed to ensure that Māori were well housed on their own land. In addition, examples of successful papakāinga builds and of the responsiveness of local government had emerged. However the conflation of being Māori with low socioeconomic status may well have reinforced the continuation of a Crown discourse of Māori being the ‘problem’, rather than the Crown being prompted by recommendations it received to reflect on its own capacity to partner with Māori for housing on Māori land.

Chapter Six: Strategic traction and increased funding, 2008–2021

‘a home is more than a house – kāinga rather than whare’¹

6.1. Introduction

From 2008 to 2010, the consideration of Māori housing issues and challenges was mentioned only briefly, if at all, in government agency housing advice to the Crown. The exception was Te Puni Kōkiri’s ongoing commitment to support Māori to fulfil their housing aspirations, including delivery of the Special Housing Action Zones (SHAZ) programme and the publication of a guide about papakāinga development.² In 2011, a performance audit into government planning and support for housing on Māori land by the Office of the Auditor-General and the 2012 New Zealand Productivity Commission’s inquiry into housing affordability brought a fuller inclusion of Māori voices and the consideration of systemic drivers of Māori housing disparities to the attention of the Crown. These inquiries sparked more genuine and generous consideration of Māori aspirations to be both housed and homed on their whenua. In addition, the Productivity Commission noted the changing nature of the Crown’s role in Māori housing, stating in 2012 that

there has been a shift away from the role the state had played (providing funding), to a role focused more on facilitating use of private assets and philanthropic donations to increase housing construction ... [This has] led to a focus on organisations developing multiple houses, and somewhat away from providing finance to individual whānau to build or buy their own home.³

In 2014, the Crown’s Māori housing strategy, *He Whare Āhuru He Oranga Tāngata*, held promise – especially as it sought to give effect to the recommendations made by the Office of the Auditor-General in 2011. The consolidation of funding to support Māori housing capacity, planning, and infrastructure with Te Puni Kōkiri and the newly established Māori Housing Network in 2015 enabled Māori to access support through a channel they both knew and trusted. The 2018 impact evaluation of the Māori

¹ Nanaia Mahuta, *Te Maihi o te Whare Māori – the Māori and Iwi Housing Innovation (MAIHI) Framework for Action*. Cabinet paper. Wellington: Office of the Associate Minister of Housing, 2020, p. 5

² Te Puni Kōkiri, *Annual report for the year ended 30 June 2009*, Wellington: Te Puni Kōkiri, 2009, p. 26, p. 28

³ New Zealand Productivity Commission, *Housing affordability inquiry*, 2012, p. 250

Housing Network found that a key factor in the success of the Network was the ability of Te Puni Kōkiri staff to develop high trust and culturally responsive relationships with Māori. From 2018 to 2021 a combination of legislative change, government agency restructuring, and the launch of a reinvigorated Māori housing strategy, *MAIHI Ka Ora*, created a renewed opportunity for housing on Māori land. The strategic directions outlined have been resourced by the Crown in recent budget allocations.

This chapter looks across this time period to describe targeted legislative and policy responses by the Crown to facilitate housing on Māori land. The chapter includes an overview of how Māori housing needs and aspirations were canvassed by the Crown, the housing assistance programmes that were made available, and the impacts of the Crown's actions for Māori. As with any account of recent events, the recent history of the Crown and housing on Māori land might be considered 'a complicated, ever changing process played out in a complicated, ever-changing world'.⁴ With many of the most recent initiatives, both Crown and claimant evidence before the Waitangi Tribunal will provide much more detail about the ways in which these initiatives have operated in practice up until the present day.

6.2. What kinds of targeted legislative and policy responses did the Crown make to address identified housing needs on Māori land?

This section canvasses legislative and policy responses to gain insight into what the Crown did to facilitate housing on Māori land between 2008 and 2021. In that time, the government changed twice (or four times if coalition agreements are included), with both National and Labour Governments presenting different visions of how to make policy and work with Māori to achieve their aspirations for housing. In 2008, the National Party returned to power, ending a near decade of Labour-led governments. The ensuing decade of National-led governments then came to an end after the 2017 election, when New Zealand First formed a coalition with the Labour Party, enabling them to form a government. The Labour Party then went on to win the 2020 election in a landslide. This section outlines the major policy developments that had an impact on housing on Māori land, as well as examining the broader frameworks or philosophies that guided this legislation.

National Government, 2008–2017

In their coalition agreement to form a government, the National Party and Māori Party described how they would pursue a 'constructive working relationship'.⁵ Māori Party Co-Leaders, Dr Pita Sharples (Ngāti Kahungunu, Ngai Te Kikiri o te Rangi, Ngāti Pāhauwera) and Tariana Turia (Ngāti Apa, Ngā

⁴ Aroha Harris and Melissa Matutina Williams, *Te Ao Hurihuri: The changing world 1920–2014: Tangata Whenua illustrated history, Part three*, Wellington: Bridget Williams Books, 2017, p. 118

⁵ John Key, 'National-Māori Party agreement announced', New Zealand Government, 19 November 2008, www.beehive.govt.nz/release/national-maori-party-agreement-announced (accessed 24 January 2023)

Rauru, Tūwharetoa) were appointed to ministerial positions. Dr Sharples was appointed Minister of Māori Affairs, Associate Minister of Education, and Associate Minister of Corrections. Turia was appointed Minister for the Community and Voluntary Sector, Associate Minister of Health, and Associate Minister of Social Development and Employment.⁶

The change of government in 2008 coincided with the global financial crisis. It was also a time of declining Māori home ownership and increasing rent for the high proportion of Māori in rental accommodation owned by private landlords.⁷ Te Puni Kōkiri's 2009 report on the impact of this global recession on Māori highlighted the vulnerability of Māori employment in construction and manufacturing industries.⁸ This report stated:

These characteristics present risks for Māori incomes and, consequently, Māori housing. Māori are currently under-represented in home ownership statistics and there is a risk that the recession will further entrench this difference, reducing the intergenerational benefits of Māori home ownership.⁹

This report also highlighted for the government the vulnerability of many Māori, although it did not propose housing on Māori land as a potential modifier of this vulnerability.¹⁰

While house prices dropped by around 10 per cent in the immediate aftermath of the global financial crisis, by 2014 prices had picked up and surpassed their pre-crisis peak. In Auckland, for example, house prices in 2014 were 34 per cent higher than their peak before the global financial crisis. According to economics researchers Ryan Greenaway-McGrevy and Peter Phillips, by 2014 prohibitive house prices had pushed home ownership beyond the reach of a growing number of New Zealanders, especially if they did not have family who could support them into home ownership.¹¹ They advised policy makers to be concerned about this as:

Without further financial resources, substantial and persistent long term saving, or equity in existing property, these costs of entry are prohibitive to most younger households. Escalating house prices also exacerbate inequality by increasing the wealth gap between home owners and renters, raising social tensions.¹²

⁶ Key, 'National-Māori Party agreement announced'

⁷ Te Puni Kōkiri, *Implications of the recession for the Māori economy*, Wellington: Te Puni Kōkiri, 2009, p. 9

⁸ Te Puni Kōkiri, *Implications of the recession for the Māori economy*, p. 2

⁹ Te Puni Kōkiri, *Implications of the recession for the Māori economy*, p. 2

¹⁰ Te Puni Kōkiri, *Implications of the recession for the Māori economy*

¹¹ Ryan Greenaway-McGrevy and Peter C.B Phillips, *Hot property in New Zealand: Empirical evidence of housing bubble in metropolitan centres*, New Haven: Cowles Foundation for Research in Economics, Yale University, 2015, p. 2

¹² Greenaway-McGrevy and Phillips, *Hot property in New Zealand: Empirical evidence of housing bubble in metropolitan centres*, p. 2

Although the Housing Corporation did not engage in direct advice to the government about the impacts of the global economic recession on Māori housing, the Housing New Zealand Board was considering its own land holdings and how to enable hapū and iwi to regain land for housing. In 2010, the Housing New Zealand Board began working with the Office of Treaty Settlements (OTS) to identify surplus Housing New Zealand land that iwi/hapū could have right of first refusal over as part of their Treaty Settlement packages. A Social Housing Exemption agreement between Housing New Zealand and OTS has meant that the inclusion of any Housing New Zealand land in a treaty settlement has been subject to whether the land was able to be used for social housing.¹³ It is also worth noting that a 2010 Housing New Zealand Board decision to exclude Housing New Zealand land from right of first refusal in Auckland has not been employed (as of June 2019).¹⁴ The Social Housing Exemption was removed in 2019 with the passing of the Kāinga Ora-Homes and Communities Act 2019. An example of the first right of refusal was in the 2017/2018 financial year, when Housing New Zealand arranged with Ngāti Whātua Ōrākei to sell them the first of five land blocks near Ōrākei Marae. According to Housing New Zealand:

The purchases will help to influence and enhance the surroundings and access points to the hapū's papakāinga landholdings and the Whenua Rangatira, which, in turn, will enable Ngāti Whātua Ōrākei to develop further opportunities for affordable rentals and home ownership in the area.¹⁵

Housing New Zealand also reported that it continued to engage positively with iwi and regularly considered iwi interests as part of its standard divestment activities, especially where iwi had right of first refusal over Housing New Zealand land.¹⁶ Māori agreement with this assertion has not been located.

Housing Accords and Special Housing Areas (HASHA) Act 2013

The Housing Accords and Special Housing Areas (HASHA) Act 2013 was passed under urgency, justified by the need to 'get some speed' with addressing housing issues in Auckland.¹⁷ This Bill was strongly influenced by the Productivity Commission's 2012 report on housing affordability (described more fully later in this chapter).¹⁸ When it was introduced, the Minister for Housing, Nick Smith, stated that the Bill

¹³ Housing New Zealand, 'Briefing for the incoming Minister of Housing', 2019, p. 61

¹⁴ Housing New Zealand, 'Briefing for the incoming Minister of Housing', 2019, p. 62

¹⁵ Housing New Zealand, '2017/18 Annual Report', 2018, p. 49

¹⁶ Housing New Zealand, '2017/18 Annual Report', 2018, p. 49

¹⁷ NZPD, Vol. 690, 2013, p. 10052

¹⁸ Nick Smith, 'Housing accords legislation passes first reading', 17 May 2013, www.beehive.govt.nz/release/housing-accords-legislation-passes-first-reading (accessed 8 December 2022)

confronts the reality that homeownership rates have been in decline for a quarter of a century; that house prices have soared unsustainably over the past decade; and that far too many families' housing, whether they buy or rent, is unaffordable. There is no silver bullet for this huge issue. It will not be solved with gimmicks or slogans but with substantive, sound policies that address the real issues that are driving up house costs for New Zealanders.¹⁹

The Human Rights Commission's submission to the Social Services Committee about the Bill expressed concern that 'there appears to have been no consideration of New Zealand's international human rights obligations in the development of the Bill' and that this had in fact been a characteristic of previous government housing policies.²⁰ Their submission was underpinned by the International Covenant on Economic, Social and Cultural Rights (ICESCR), as it 'provides the most significant legal source on the right to adequate housing ... In General Comment 4, the CESCR notes that the right to housing should be seen as encompassing "the right to live somewhere in security, peace and dignity"'.²¹ This included security of tenure, affordability, habitability, accessibility, location, access to services, and cultural adequacy.²² They attached to their submission their publication 'Right to Housing', which described housing disparities. It also stated the importance for Māori of 'being close to whānau and whānau land'.²³ While it is not evident that this submission influenced the final Act, the Human Rights Commission has persisted in its advocacy for a human rights approach to housing.

The purpose of the resulting Housing Accords and Special Housing Areas (HASHA) Act 2013, which was repealed in September 2021, was to 'enhance housing affordability by facilitating an increase in land and housing supply in certain regions or districts ... identified as having housing supply and affordability issues'.²⁴ This Act was a departure from the 1990s demand-side changes (such as the Accommodation Supplement) introduced into housing legislation and policy by the Fourth National Government.²⁵ In the HASHA Act, a Housing Accord was an agreement between a territorial authority listed in Schedule 1 of the Act and the Minister for Building and Housing to work together to resolve

¹⁹ Smith, 'Housing accords legislation passes first reading'

²⁰ Human Rights Commission, 'Housing Accords and Special Housing Areas Bill', Submission to the Social Services Committee, 30 May 2013, p. 2

²¹ Human Rights Commission, 'Housing Accords and Special Housing Areas Bill', pp. 2-3

²² Human Rights Commission, 'Housing Accords and Special Housing Areas Bill', Submission to the Social Services Committee, 30 May 2013, p. 3

²³ Human Rights Commission, *Human rights in New Zealand - Ngā tika tangata o Aotearoa*, Human Rights Commission, 2010, p. 217

²⁴ Bev James, 'Getting the housing we say we want: Learning from the Special Housing Area experience in Tauranga and the Western Bay of Plenty. Paper 1 - National policy and initial local implementation', National Science Challenges: Building Better Homes, Towns, and Cities, 2017, p. i; Housing Accords and Special Housing Areas Act 2013, s 4

²⁵ James, 'Getting the housing we say we want: Learning from the Special Housing Area experience in Tauranga and the Western Bay of Plenty. Paper 1 - National policy and initial local implementation', p. 4

housing supply and affordability issues. However, researcher Laurence Murphy has argued that, ‘supporting housing accords alters central/local government power relations and represents a challenge to the existing planning system’.²⁶ A Special Housing Area, in turn, was a discrete geographical area within a territorial authority that was granted more permissive resource consent processes as a way of fast-tracking housing development.²⁷ Policy researcher Bev James wrote that resource and building consents were seen by the Crown as creating an under-supply of land and high land prices. As a perceived solution, Special Housing Areas addressed this ‘problem’ and enabled the Crown to largely ignore more systemic problems with the housing system. In this way, James wrote, the Crown avoided ‘direct investment in the housing infrastructure or interventions in housing markets and house prices’.²⁸

As local government planning regimes had often been a barrier to Māori housing aspirations, the disruption of local government processes by a central government demand for increased affordable housing (by re-zoning land for housing and fast-tracking consents) has sometimes worked in favour of Māori housing aspirations for urban Māori land. For example, in their 2013 joint submission on the Select Services Committee considering the Housing Accords and Special Housing Areas Bill, Tainui Group Holdings and Chedworth Properties Limited stated that they supported the Bill’s intent

because it streamlines the planning process for residential housing development in special housing areas to address significant housing supply and affordability issues ... the Bill recognises that where residential housing is prohibited in operative plans it is nevertheless appropriate to allow resource consent applications to be lodged where a proposed plan amends the activity status.²⁹

Similarly, the designation of an Ōrākei Special Housing Area in 2014 enabled Ngāti Whātua Ōrākei to develop papakāinga housing on their land in central Auckland. As noted in the first annual report of Auckland Council’s Housing Accord:

The consent paves the way for the construction of papakāinga housing comprising an additional 30 dwellings, private and communal open space, landscaping, car parking, access and infrastructure. The 30 secure, warm dwellings will be sold or leased to hapū of Ngāti Whātua

²⁶ Laurence Murphy, ‘The politics of land supply and affordable housing: Auckland’s Housing Accord and Special Housing Areas’, *Urban Studies*, 53, 12, 2016, p. 2530

²⁷ Bev James, ‘Special housing areas: A practical pathway to livable homes?’, Presentation to the AMPS Architecture Conference: cities, communities and homes: Is the urban future livable?, University of Derby, 22-23 June 2017, p. 1

²⁸ James, ‘Getting the housing we say we want: Learning from the Special Housing Area experience in Tauranga and the Western Bay of Plenty. Paper 1 - National policy and initial local implementation’, p. 1

²⁹ Bell Gully, ‘Submission on behalf of Tainui Group Holdings Limited and Chedworth Properties Limited on the Housing Accords and Special Housing Areas Bill’, 30 May 2013, p. 2

Ōrākei. They are also designed with the intention to foster community values, and to embrace the concepts of whanaungatanga, manaakitanga, kaitiakitanga and kotahitanga.³⁰

In Tauranga Moana, Ngā Potiki was granted a Special Housing Area for 50 acres of land in Pāpāmoa, which had been returned to them in their Treaty settlement. In 2017, the Chair of the Ngā Pōtiki ā Tamapahore Trust, Colin Reeder, explained:

On 20 February 2017 they will turn to first the soil on the first house site on this land. Three hundred homes will be built on this land, with 100 of these homes for whānau. These may be land and home packages, licence to occupy homes, or rental homes. The other 200 homes will be commercial housing, sold to pay the bills.³¹

The Trust planned to leverage trade training and educational opportunities off the housing initiatives it was developing.³² The land returned to Ngā Potiki was one of 15 designated special housing areas in Tauranga Moana in 2017, most of which were in Pāpāmoa. As with the special housing areas in Auckland, James concluded in her examination of the implementation of the HASHA Act 2013 in Tauranga Moana, that it did not shorten the time to deliver houses to market or guarantee improved housing affordability.³³ Ngā Potiki's efforts to address the housing needs of their community is described in a case example at the end of this chapter.

The designation of a land block as a Special Housing Area could also have devastating impacts on local Māori. In May 2014, the Auckland Council recommended to the Minister of Housing that the land at Ihumātao be designated a Special Housing Area. Shortly after, Fletcher Building entered into a conditional agreement to purchase the land, which was in line with a 2012 Environment Court decision that rezoned the land as 'future urban'.³⁴ In 2018, the Environment Court approved Fletcher Building's housing development plans for Ihumātao.³⁵ In this instance, researchers Tim McCreanor, Frances Hancock, and Nicola Short wrote that the Housing Accords and Special Housing Areas Act 2013 was used to 'sideline mana whenua and community interests' and left mana whenua without fair and safe

³⁰ Auckland Council, *Auckland Housing Accord: What's been achieved in the first year*, Auckland: Auckland Council, 2014, pp. 3-4; See also Ruru, 'Papakāinga and whānau housing on Māori freehold land', p. 145

³¹ Colin Reeder, personal communication, 8 February 2017

³² David Porter, 'High-profile Māori Housing Conference opens in Tauranga', *Bay of Plenty Times*, 29 September 2016; Colin Reeder, personal communication, 8 February 2017

³³ James, 'Getting the housing we say we want: Learning from the Special Housing Area experience in Tauranga and the Western Bay of Plenty. Paper 1 - National policy and initial local implementation', p. 16

³⁴ Tim McCreanor, Frances Hancock, and Nicola Short, 'The mounting crisis at Ihumātao: A high cost Special Housing Area or a cultural heritage landscape for future generations?', *Counterfutures: Left Thought and Practice Aotearoa*, 6, 2018, p. 139, p. 142

³⁵ Environment Court decision 214, *King, Newton, Nga Kaitiaki o Ihumātao Charitable Trust & Soul Ihumātao v Heritage New Zealand Pouhere Taonga*, ENV-2017-AKL-000160, 7 November 2018. Cited in McCreanor, Hancock, and Short, 'The mounting crisis at Ihumātao: A high cost Special Housing Area or a cultural heritage landscape for future generations?', p. 139

access to legal redress.³⁶ In addition, these researchers asserted that the permission granted by Heritage New Zealand Pouhere Taonga (a Crown entity, which replaced the New Zealand Historic Places Trust) allowed Fletcher Building to modify or destroy archaeological sites.³⁷ According to these researchers: ‘The Ihumaatao decision suggests that the Heritage New Zealand Pouhere Taonga Act 2014 almost exclusively favours private property rights and developer interests over protecting the values and benefits of our oldest cultural heritage places’.³⁸

He Whare Āhuru He Oranga Tāngata – The Māori Housing Strategy, 2014

Of particular relevance to the issues covered in this report was the launch of *He Whare Āhuru He Oranga Tāngata – The Māori Housing Strategy* in 2014. The strategy signalled a shift in focus from individuals building single dwellings to organisations building multiple dwellings in housing developments. This was aligned with Sir Mason Durie’s championing of a community development approach to resolving Māori housing issues.³⁹ The government asserted that this strategy addressed the recommendations of both the Auditor-General’s 2011 report and the Productivity Commission’s 2012 report on housing affordability.⁴⁰ The Auditor-General’s 2011 report stated that a (unreferenced) review of the Rural Housing Programme commissioned by the Department of Building and Housing had recommended a community-development approach. In addition, interviews conducted by the Office of the Auditor-General with whānau and Māori trusts emphasised the connections between land, housing and community development. The report stated:

Māori land has significant cultural and social value, and the desire to live on the land is often described in terms of fostering well-being for the community and as a source of mana.⁴¹

The Productivity Commission reported that Māori participants in their inquiry,

identified that the social and cultural resources they have could enable them to overcome the other barriers they faced to affordable housing solutions. The desire to take a community- based

³⁶ McCreanor, Hancock, and Short, ‘The mounting crisis at Ihumaatao: A high cost Special Housing Area or a cultural heritage landscape for future generations?’, p.139, p. 142

³⁷ McCreanor, Hancock, and Short, ‘The mounting crisis at Ihumaatao: A high cost Special Housing Area or a cultural heritage landscape for future generations?’, p. 143

³⁸ McCreanor, Hancock, and Short, ‘The mounting crisis at Ihumaatao: A high cost Special Housing Area or a cultural heritage landscape for future generations?’, p. 143

³⁹ Roxanne Smith, Shane Edwards, Colin Hemana Bennett, Kirimatao Paipa, Miromiro Kelly, and Kataraina Pipi, ‘Whānau and community development through housing: Formative evaluation report’, 2020, p. 3 www.tpk.govt.nz/en/o-matou-mohiotanga/housing/whanau-and-community-development-through-housing (accessed 9 December 2022)

⁴⁰ ‘He Whare Āhuru He Oranga Tāngata – The Māori Housing Strategy. Questions and Answers’, 26 July 2014, www.beehive.govt.nz/sites/default/files/The_NZ_Government%27s_Maori_Housing_Strategy_-_Q%26As_-_July_2014.pdf (accessed 8 December 2022)

⁴¹ Controller and 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’, p. 23

approach that would strengthen whānau to address the range of social issues they face – not just housing – was almost universal.⁴²

This new ideological direction being taken by the Crown with housing was underlined by Housing Minister Nick Smith in his foreword to the 2014 *He Whare Āhuru He Oranga Tāngata – The Māori Housing Strategy*. Smith explained:

He Whare Āhuru has been developed at a time when there are new opportunities for Māori to take a greater role in housing. The social housing reforms and the government's affordable housing programme provide opportunities for Māori organisations to grow their role in the housing sector.⁴³

The strategy covered all Māori land, including general land returned in Treaty settlements.⁴⁴ At the strategy's launch in Kaitiāia in July 2014, the Associate Housing Minister, Tariana Turia, closely paraphrased Smith's words; 'We want to see more Māori organisations involved in building houses, managing rental tenancies, providing affordable rentals and developing home ownership programmes for Māori whānau'.⁴⁵ The question-and-answer sheet that accompanied the strategy's launch patronisingly asked: 'Are Māori ready to take the opportunities *He Whare Āhuru* presents?' This sheet answered:

Māori are becoming increasingly focused on providing better housing for individuals and whānau ... He Whare Āhuru outlines case studies of Māori organisations that are already succeeding in providing better housing options for their people. The Strategy sets out actions that will enable more Māori – both individually and collectively – to follow in the footsteps of those who are already improving housing for Māori.⁴⁶

The strategy's vision of 'He Whare Āhuru He Oranga Tāngata – Better Housing, Better Lives' aspired to be underpinned by Māori values, including whanaungatanga (kinship) and manaakitanga (generosity)

⁴² New Zealand Productivity Commission, *Housing Affordability Inquiry*, Wellington: New Zealand Productivity Commission, 2012, p. 239

⁴³ Nick Smith, 'Foreword from the Minister of Housing', Ministry of Business, Innovation and Employment, *He Whare Āhuru He Oranga Tāngata – The Māori Housing Strategy. Directions 2014 to 2015*, Ministry of Business, Innovation and Employment: Wellington, 2014, p. 5

⁴⁴ Controller and Auditor-General, 'Government planning and support for housing on Māori land. Progress in responding to the Auditor-General's recommendations', Wellington: Controller and Auditor-General, 2014, p. 5

⁴⁵ Tariana Turia, 'He Whare Āhuru He Oranga Tāngata Māori Housing Strategy launched', 2 July 2014, www.beehive.govt.nz/release/he-whare-%C4%81huru-he-oranga-t%C4%81ngata-m%C4%81ori-housing-strategy-launched (accessed 8 December 2022)

⁴⁶ 'He Whare Āhuru He Oranga Tāngata – The Māori Housing Strategy. Questions and Answers', 26 July 2014, www.beehive.govt.nz/sites/default/files/The_NZ_Government%27s_Maori_Housing_Strategy_-_Q%26A%20July_2014.pdf (accessed 8 December 2022)

and care for others), ‘as a means of increasing Māori buy-in, acceptance and uptake’.⁴⁷ In this way, the strategy acknowledged that social reasons were the most common reasons why Māori seldom moved residence within a two-year timeframe, and why Māori might accept substandard accommodation to be able to fulfil cultural obligations and maintain ties with whānau and land. According to this strategy:

Māori housing ... must be considered within the broader whānau ora [family wellness] context.

The whānau ora context is relevant because of the central role that access to affordable housing and home ownership plays in promoting community health, whānau stability and Māori social well-being.⁴⁸

The strategy set out six directions to improve Māori housing, with the intention that it would achieve these by 2025. These were illustrated within a whare or meeting house, but little explicit explanation was given for the use of this symbolism (see Figure 6.1). Directions 1-3 set out the opportunities open to Māori and their whānau to improve their housing situation:

Direction 1: Ensure the most vulnerable Māori have secure tenure, and access to safe, quality housing with integrated support services.

Direction 2: Improve the quality of housing for Māori communities.

Direction 3: Support Māori and their whānau to transition to preferred housing choices.⁴⁹

Directions 4-6 set out the opportunities to grow the Māori housing sector so that Māori organisations would be able to create more housing choices for Māori, including more opportunity for people to build on their land:

Direction 4: Increase the amount of social housing provided by Māori organisations.

Direction 5: Increase housing on Māori owned land.

Direction 6: Increase large scale housing developments involving Māori organisations.⁵⁰

The Office of the Auditor-General identified Directions 3, 5, and 6 as relevant to their 2011 performance audit report.⁵¹ Under Direction 5 in the strategy, Kāinga Whenua Loans and Kāinga Whenua Infrastructure Grants (described below, in section 6.5) were showcased as initiatives supporting housing

⁴⁷ Ministry of Business, Innovation and Employment, *He Whare Āhuru He Ōranga Tāngata – The Māori Housing Strategy. Directions 2014 to 2015*, p. 2

⁴⁸ Ministry of Business, Innovation and Employment, *He Whare Āhuru He Ōranga Tāngata – The Māori Housing Strategy. Directions 2014 to 2015*, pp. 1-2

⁴⁹ ‘He Whare Āhuru He Ōranga Tāngata – The Māori Housing Strategy. Questions and Answers’, 26 July 2014, www.beehive.govt.nz/sites/default/files/The_NZ_Government%27s_Maori_Housing_Strategy_-_Q%26As_-_July_2014.pdf (accessed 8 December 2022)

⁵⁰ ‘He Whare Āhuru He Ōranga Tāngata – The Māori Housing Strategy. Questions and Answers’

⁵¹ Controller and Auditor-General, ‘Government planning and support for housing on Māori land. Progress in responding to the Auditor-General’s recommendations’, p. 5

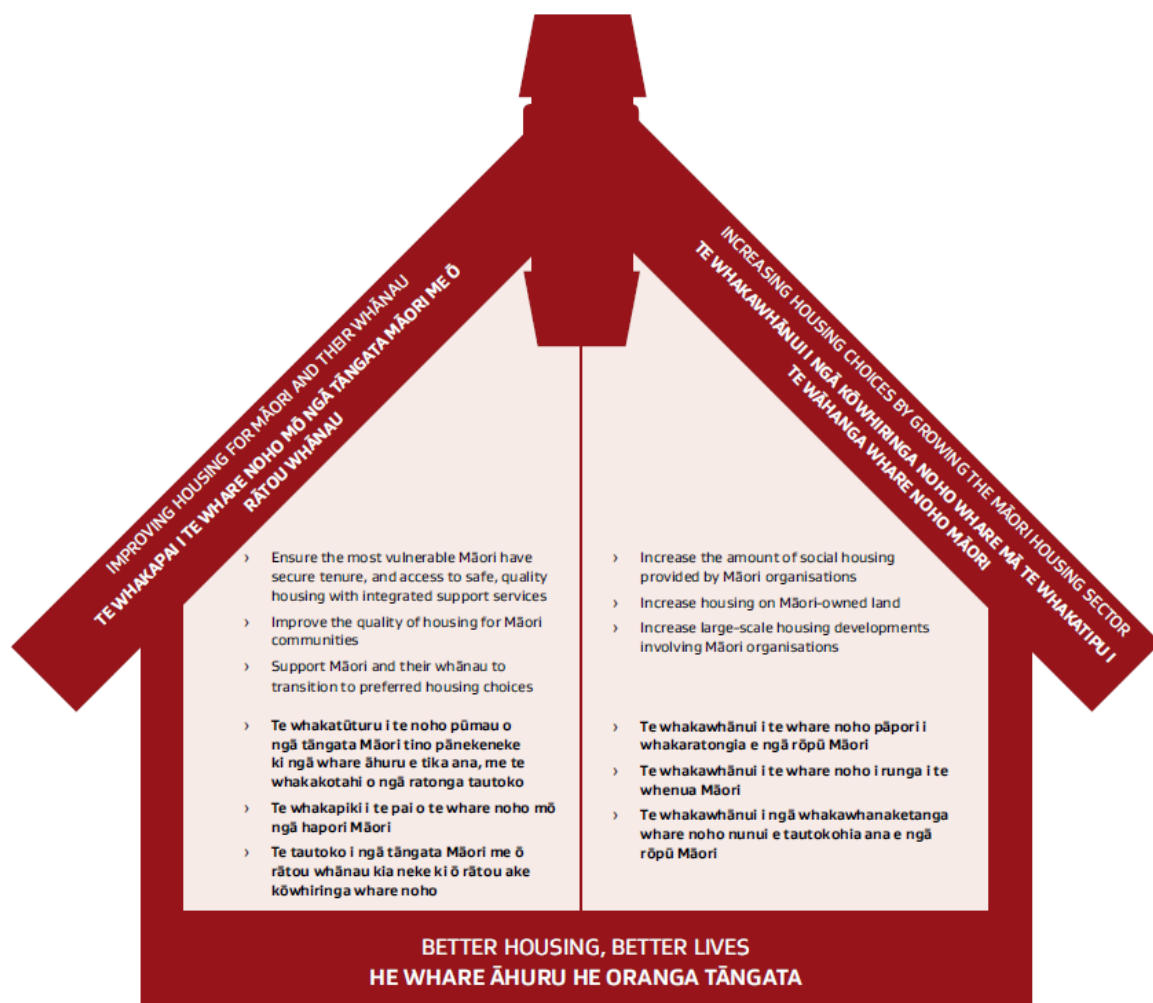


Figure 6.1: He Whare Āhuru He Oranga Tāngata,
Ministry of Business, Innovation and Employment, *He Whare Āhuru He Ōranga*, p. 3

on Māori-owned land, with an increase in the uptake of Kāinga Whenua loans one of the activities for 2014–2017. This report described these loans,

Kāinga Whenua Home loans are provided by Kiwibank to build on multiply-owned Māori land. HNZN provides the security for loans... Some of a Kāinga Whenua loan can be used to fund some infrastructure.⁵²

The other activity was the completion and implementation of a review of government assistance for housing development on Māori land. This review has not been located. Over the longer term (2014–2025) *He Whare Āhuru He Oranga Tāngata – The Māori Housing Strategy* set out three action areas

⁵² Controller and Auditor-General, ‘Government planning and support for housing on Māori land. Progress in responding to the Auditor-General’s recommendations’, p. 32

related to support for sustainable housing, effective use of government funding, and increased private sector funding.⁵³

The Office of the Auditor-General advice in its 2014 progress report on the implementation of the recommendations of its 2011 performance audit (described below, in section 6.4) was:

Those putting the Māori Housing Strategy into effect should realistically identify necessary resources, devise ways to put plans into practice, and follow up those plans. Information about good practice, successes, lessons learned, and funding should be shared regularly and often. That information should be clear, accurate, accessible, and easy for everyone to understand. Finally, we consider that strong relationships between central and local government agencies, Māori organisations, and Māori are vital to the Māori Housing Strategy's success.⁵⁴

The 2014 Budget pledged just \$16 million (over four years) to 'support the repair and rebuild of rural housing, the improvement of housing on the Chatham Islands and the development of Māori social housing providers'.⁵⁵ Even the strategy conceded that '[g]iven other pressures on government funding and the high cost of housing, sustainable growth in housing development by Māori organisations will ultimately depend on their ability to access private sector capital, and to develop housing schemes that are financially sustainable in the long term'.⁵⁶ This statement set lower expectations about government support for the realisation of the strategy's aspirations. The establishment of the Māori Housing Network in 2015 signalled that Te Puni Kōkiri would be the government agency primarily responsible for implementing the advice of the Office of the Auditor-General.

Māori Housing Network, 2015

In 2015, Te Puni Kōkiri introduced its new operating model and the four areas their programme of work supported: whakapapa (identity), oranga (wellbeing), whairawa (prosperity), and whanaungatanga (relationships). This operating model and its accompanying outcomes framework were designed to support Te Puni Kōkiri's vision of 'iwi, hapū, and whānau Māori succeeding as Māori'. The Māori Housing Network was established in October that same year and was designed to support whānau, hapū and iwi with information, advice, and assistance, manage Government Māori housing funding, and coordinate with other agencies to improve Māori housing.⁵⁷ Communications Advisor for Te Puni

⁵³ Ministry of Business, Innovation and Employment, *He Whare Āhuru He Ōranga Tāngata – The Māori Housing Strategy. Directions 2014 to 2015*, pp. 29-30

⁵⁴ Controller and Auditor-General, 'Government planning and support for housing on Māori land. Progress in responding to the Auditor-General's recommendations', p. 15

⁵⁵ www.beehive.govt.nz/release/budget-2014-new-funding-rural-and-m%C4%81ori-housing

⁵⁶ Ministry of Business, Innovation and Employment, *He Whare Āhuru He Ōranga Tāngata – The Māori Housing Strategy. Directions 2014 to 2015*, p. 30

⁵⁷ Te Puni Kōkiri, 'Māori Housing Network Introduction', Wellington: Te Puni Kōkiri, 2015, p. 1

Kōkiri, Amy Diamond, described the establishment of the Network as a response to the 2014 Māori Housing Strategy, *He Whare Āhuru, He Oranga Tāngata*.⁵⁸ The relevant outcomes from the strategy identified in the 2018 evaluation of the Network were to:

- ensure the most vulnerable Māori have secure tenure and access to safe, quality housing with integrated support services
- improve the quality of housing for Māori communities
- support Māori and their whānau to transition to preferred housing choices
- increase the amount of social housing provided by Māori organisations
- increase housing on Māori-owned land
- increase large-scale housing developments involving Māori organisations.⁵⁹

Existing funding that was being administered by the Ministry of Business, Innovation and Employment (MBIE) was consolidated with additional government funding of \$7.235 million, giving the Network a budget of \$14,491 million per year when it was established.⁶⁰ The Māori Housing Network administered funding for Special Housing Action Zones, Kāinga Whenua Infrastructure Grants, the Māori Housing Fund, the Whānau Housing Response Fund, and the Whānau Housing Support Fund (described below, Section 6.5).⁶¹ The Minister for Māori Development at the time of the Māori Housing Network's establishment, Te Ururoa Flavell (Ngāpuhi, Ngāti Rangiwewehi, Te Arawa), called the Network 'a one-stop shop to work alongside whānau ... offering expert advice, information and support to help improve their housing situation'. Flavell said it was a response to the Auditor-General's 2011 call for 'a single co-ordinated point of contact to better support tāngata whenua to build on Māori land'.⁶² The amalgamation and increase of Māori housing support funding under the Māori Housing Network in 2015, and what was achieved as a result of the Network's investments, probably reflected the Crown's most successful implementation of the 2014 Māori Housing Strategy. The implementation of the funding streams of the Māori Housing Network and the 2018 evaluation of the Network are described in more detail later in this chapter.

⁵⁸ Amy Diamond, 'Māori Housing Network', *Parity*, 32, 10, 2019, p. 61

⁵⁹ Sally Duckworth, Anna Thompson, Chelsea Grootveld, Timoti Brown, and Maria Marama, 'Impact evaluation of the Māori Housing Network', Wellington: Litmus, 2018, p. 5

⁶⁰ Te Ururoa Flavell, 'Māori Housing Network to build on Māori housing success', 4 October 2015, www.beehive.govt.nz/release/m%C4%81ori-housing-network-build-m%C4%81ori-housing-success (accessed 8 December 2022)

⁶¹ Jade Kake, *Rebuilding the Kāinga: Lessons from Te Ao Hurihuri*, Wellington: Bridget Williams Books, 2019, pp. 40-41

⁶² Te Ururoa Flavell, 'Māori Housing Network to build on Māori housing success'

Labour Government, 2017–2021

The 2017 election returned a Labour-led Government to power, in coalition with the New Zealand First Party. The Crown returned to taking a greater role in Māori Housing, particularly following the first Covid-19 lockdown in March–April 2020, and then again following the 2020 election. Included in the Labour Party’s election promises was the delivery of a comprehensive response to the housing crisis. Their first Housing Minister, Phil Twyford, however, came under heavy criticism from the opposition National Party, Community Housing Providers, and the media for his focus on Kiwibuild as the solution needed.⁶³

Te Puni Kōkiri’s new Māori Housing Investment Strategy 2018–2019 to 2020–2021 reflected the Crown’s commitment within its Housing and Urban Development Programme to support the housing needs and aspirations of whānau, hapū and iwi through a community development approach.⁶⁴ The investment strategy contained three focus areas, with Te Puni Kōkiri working alongside MBIE, Housing New Zealand, and the Ministry of Social Development (MSD) to (1) ensure that Kiwibuild worked for Māori, (2) repair rural and substandard housing, and (3) address the barriers to building on Māori land.⁶⁵ Taking a community development approach was defined as ‘partnering with communities to support them in identifying and progressing their housing aspirations as part of a broader approach to developing the wider community’.⁶⁶ This approach recognised quality, affordable, secure and sustainable housing as a ‘building block for thriving communities’, as reflected in the four domains of the Treasury Living Standards Framework (Figure 6.2).⁶⁷

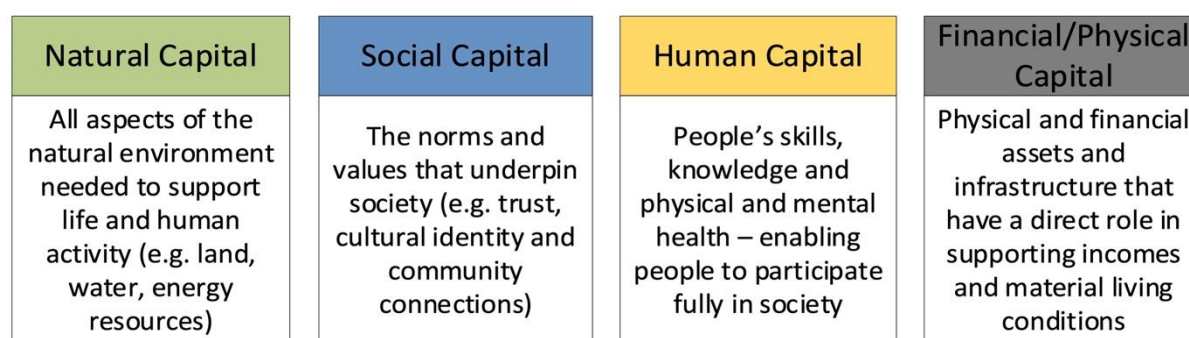


Figure.6.2: NZ Treasury’s Living Standards Framework,
Te Puni Kōkiri, ‘Māori Housing Investment Strategy 2018-19 to 2020-21’, 2019, p. 5

⁶³ Jade Kake, ‘Drivers for Māori outcomes: a survey of strategic landmarks in housing. A discussion document and issues paper, May 2019’, 2019, p. 1

⁶⁴ Te Puni Kōkiri, ‘Māori Housing Investment Strategy 2018-19 to 2020-21’, Te Puni Kōkiri, 2019, p. 3

⁶⁵ Te Puni Kōkiri, ‘Māori Housing Investment Strategy 2018-19 to 2020-21’, p. 3

⁶⁶ Te Puni Kōkiri, ‘Māori Housing Investment Strategy 2018-19 to 2020-21’, p. 4

⁶⁷ Te Puni Kōkiri, ‘Māori Housing Investment Strategy 2018-19 to 2020-21’, p. 5

Strategic Focus Area 2 of the Māori Housing Investment Strategy was:

Supporting papakāinga development and activities to help Māori into affordable homes, with specific activities including increasing affordable housing supply in communities with high housing need, providing funding for infrastructure support for housing on Māori land along with contributing to small-scale rental papakāinga, strengthening rūpū capability to develop papakāinga, and piloting innovative home ownership solutions.⁶⁸

This continued focus on supporting Māori to build housing on their land also laid the groundwork for Te Puni Kōkiri to respond to the changes in Te Ture Whenua Act 1993, when the amended legislation was passed. The consultation undertaken to inform these amendments of this Act are described later in this chapter.

The principles guiding Te Puni Kōkiri's investment in housing and engaging with whānau and communities were reinforced in their 2019 Māori Housing Investment Strategy (see Figure 6.3Figure 6.3 below). The investment principles include the maximisation of outcomes through relationship-based, partnership investing, while the engagement principles include a commitment to tailoring solutions and remaining accountable.⁶⁹

In 2018, Te Puni Kōkiri published a guide to the government support available for Māori housing, with encouragement for people to talk to the Māori Housing Network through their regional Te Puni Kōkiri office. Te Puni Kōkiri promoted this network as able to help people develop their ideas about community-led housing repairs, infrastructure for housing on Māori land, and building papakāinga.⁷⁰ The guide also included brief information and contact details for support provided by other government agencies (including the Ministry for Culture and Heritage, Housing New Zealand Corporation), community housing organisations (such as Te Matapihi National Māori Housing Organisation), as well as financial tips from Sorted (Financial Planning), and the Kiwisaver Homestart Grant.⁷¹

⁶⁸ Te Puni Kōkiri, 'Māori Housing Investment Strategy 2018–19 to 2020–21', p. 9

⁶⁹ Te Puni Kōkiri, 'Māori Housing Investment Strategy 2018–19 to 2020–21', p. 6

⁷⁰ Te Puni Kōkiri, 'A guide to Māori housing support across government', 2018, p. 3

⁷¹ Te Puni Kōkiri, 'A guide to Māori housing support across government', pp. 5-11

Investment Guiding Principles

In line with the overarching Māori Development Investment Approach, our housing investments are guided by the following principles:

-  We invest in initiatives that take a whānau-led community development approach to their delivery and support sustainable change
-  We invest in building capability and capacity to support the achievement of whānau, hapū and iwi aspirations
-  We invest in initiatives that promote and encourage the use of te reo me ngā tikanga Māori in everyday situations and settings
-  We co-invest in partnership with the community and with other agencies to maximise outcomes
-  We invest strategically, using regional knowledge and evidence to target our investment to where it can make the biggest difference

Engagement Principles

As we work with whānau and communities to identify and understand their strengths, needs and aspirations for the future, we are committed to the following engagement approach:

-  **Value for people and relationships** – we will act with integrity and treat others with respect, taking a cooperative and inclusive approach
-  **Direct engagement** – we will seek to engage directly with whānau, hapū, iwi, communities and rūpū wherever possible in identifying investment opportunities
-  **Diversity** – we will accept the unique nature of each housing situation and coordinate various forms of support to deliver tailored solutions
-  **Innovation** – we will test ideas, generate new knowledge, learn from others and apply new knowledge to obtain solutions
-  **Transparency and accountability** – we will operate in a fully transparent and open manner, with decision-making flexibility afforded within defined processes and procedures

Figure 6.3: Investing and engagement principles from TPK Maori Housing Investment Strategy

In October 2018, the Ministry of Housing and Urban Development (HUD) – Te Tūāpapa Kura Kāinga came into existence and assumed the housing regulatory, policy and funding functions of the New Zealand Treasury, the Ministry of Social Development, and the Ministry of Business, Innovation and Employment.⁷² As their website explained, the new agency became, ‘the government’s primary advisor on housing and urban development’.⁷³ Housing-related payments (such as the Accommodation Supplement) are part of the social security system that remained with the Ministry of Social Development.⁷⁴

During the same month, the Government also announced that Housing New Zealand and the Kiwibuild Unit would be merged to form Kāinga Ora – Home and Communities.⁷⁵ In its 2019 Briefing for the Incoming Minister, Housing New Zealand documented the comprehensive changes that had occurred for itself and its subsidiary Homes Land Community (HLC, previously Hobsonville Land Company) between 2016 and 2019. From being a ‘small-scale bespoke builder of houses’ in 2016, the agency’s

⁷² Phil Twyford, ‘New Housing and Urban Development Ministry’, New Zealand Government, 8 June 2018 www.beehive.govt.nz/release/new-housing-and-urban-development-ministry (accessed 25 January 2023)

⁷³ Te Tūāpapa Kura Kāinga - Ministry of Housing and Urban Development, ‘Who we are’, 2023 www.hud.govt.nz/about-us/who-we-are/ (accessed 25 January 2023)

⁷⁴ Ministry for Social Development, ‘Ministry of Social Development - housing and support services’, 2023. *Ministry for Social Development - Te Manatū Whakahiato Ora*. 15 March 2023, <https://www.msd.govt.nz/about-msd-and-our-work/work-programmes/social-housing/index.html>

⁷⁵ Housing New Zealand, ‘Briefing for the incoming Minister of Housing’, 2019, p. 9

mandate had ‘extended beyond the provision of state housing to include transitional, affordable and market housing’.⁷⁶ As a result, changes had been made to the structure of the Housing New Zealand and HLC, as well as their capacity and work programme.⁷⁷ Housing New Zealand also stated its support for Māori housing aspirations, which was a change from its 2011 Briefing where Māori were only mentioned once as 34.4 per cent of state house tenants.⁷⁸ In 2019, Housing New Zealand’s ‘Briefing for the incoming Minister of Housing’ stated:

Housing New Zealand has continued to identify where Māori and iwi interests intersect with our activity. This includes early and repeated engagement with iwi and consultation with agencies in order to contribute to the Government’s objectives for Māori housing.⁷⁹

Section 4 of the Kāinga Ora–Homes and Communities Act 2019 outlines the provisions that ‘recognise and respect the Crown’s responsibility to consider and provide for Māori interests’.⁸⁰ In addition to upholding Te Tiriti o Waitangi and engaging with Māori to understand Māori perspectives,⁸¹ section 13(1) of the Act establishes ‘that it is a function of Kāinga Ora–Homes and Communities to understand, support, and enable the aspirations of Māori in relation to urban development’.⁸² This has implications for urban developments that Kāinga Ora is involved in, including its stake (alongside Auckland Council) in the Tāmaki Regeneration Company and its commitment to supporting mana whenua to develop their land in Tāmaki.⁸³

Kāinga Ora was established in October 2019 as a new Crown agency bringing together Housing New Zealand and its development subsidiary HLC, and the KiwiBuild Unit. The Kāinga Ora mandate covers the provision of public housing and working with communities for improved urban development.⁸⁴ Its ‘Statement of Intent’ outlined the following in relation to Māori housing:

One of our key functions is to understand, support and enable Māori aspirations for urban development. This will mean operating in a way that provides for early and meaningful engagement with Māori when doing urban development and the active pursuit of opportunities for Māori to participate in. The Kāinga Ora Board is committed to ensuring the organisation has the capability and capacity when undertaking urban development to uphold the Treaty and its

⁷⁶ Housing New Zealand, ‘Briefing for the incoming Minister of Housing’, 2019, p. 4

⁷⁷ Housing New Zealand, ‘Briefing for the incoming Minister of Housing’, 2019, p. 4

⁷⁸ Housing New Zealand, ‘Briefing to the Incoming Minister of Housing, December 2011’, 2011, p. 19

⁷⁹ Housing New Zealand, ‘Briefing for the incoming Minister of Housing’, 2019, p. 5

⁸⁰ Kāinga Ora–Homes and Communities Act 2019, s4

⁸¹ Kāinga Ora–Homes and Communities Act 2019, s4(a)

⁸² Kāinga Ora–Homes and Communities Act 2019, s4(b)

⁸³ TRC, *Destination Tāmaki*, Tāmaki Regeneration Company, <https://tamakiregeneration.co.nz/regen/overview/> (accessed 15 March 2023)

⁸⁴ Kāinga Ora, ‘Tauākī Whakamaunga Atu - Our Statement of Intent 2019–2023’, 2020, p. 2, p. 4

principles, understand and apply Te Ture Whenua Maori Act 1993, and engage with Māori and understand Māori perspectives.⁸⁵

Te Ture Whenua Maori (Succession, Dispute Resolution, and Related Matters) Amendment Act 2021

As discussed in the previous chapter of this report, Te Ture Whenua Māori Act 1993 is a key piece of legislation affecting Māori Land. A review of the Act was initiated in 2012 using an independent panel of experts. After consultation hui, this panel recommended the repeal and replacement of the 1993 Act with legislation that would uphold landowners' mana motuhake and support their land development aspirations. This recommendation was accepted by Cabinet, and 20 consultation hui with Māori landowners were subsequently held in 2014. These hui were organised by a Technical Panel (set up to assist with the drafting of the new bill) in conjunction with the Federation of Māori Authorities, and the Iwi Leaders Group. A further 60 hui were held in 2015, when a Ture Whenua Ministerial Advisory Group was established to provide independent advice. These hui were followed by 23 consultation hui when the exposure draft of the Bill was released in May 2015. Three hundred and ninety-two submissions were also received, and the consultation led to significant changes in the Bill.⁸⁶

At the end of 2015, the Waitangi Tribunal conducted an urgent inquiry on this review process. The 2016 Waitangi Tribunal report, *He Kura Whenua Ka Rokohanga: Report on Claims about the Reform of Te Ture Whenua Māori Act 1993*, spoke to the controversy surrounding the Bill and the challenges mounted by some Māori landowners.⁸⁷ In this report, the Waitangi Tribunal found:

The claimants say that the Crown's imperative is economic; that the Crown wants to force Māori land into production for the benefit of the wider New Zealand economy. They say that the process by which the Act is to be repealed has been Crown-led, rushed, based on poor information, and does not command the support of Māori. The claimants call for consensus as in 1993, arguing, too, that the reforms will do nothing to solve the real barriers to Māori utilising their land. Those barriers, they told us, are historical in origin, often arising from Crown Treaty breaches, and include rating, improper valuation of Māori land, lack of legal and physical access

⁸⁵ Kāinga Ora, 'Tauākī Whakamaunga Atu - Our Statement of Intent 2019–2023', p. 3

⁸⁶ New Zealand Government, 'Appendix 2: Timeline of Te Ture Whenua Māori reforms', 2016, www.beehive.govt.nz/sites/default/files/Te%20Ture%20Whenua%20Maori%20Reform%20Reference%20Notes.pdf (accessed 6 December 2022)

⁸⁷ Waitangi Tribunal, *He Kura Whenua Ka Rokohanga: Report on Claims about the Reform of Te Ture Whenua Māori Act 1993*, Legislation Direct: Wellington, 2016: See also Jacinata Ruru, 'Papakāinga and whānau housing on Māori freehold land,' in Elizabeth Toomey (ed.), *Revised legal frameworks for ownership and use of multi-dwelling units*, 2017, p. 133

to landlocked land (possibly as much as one-fifth to one-third of Māori land has no access), and other issues that the Crown's reforms will not solve.⁸⁸

The Crown, however, maintained that it had consulted widely, including hearing submissions at 64 hui and receiving 585 written submissions. In addition, it was signalled in 2015 that issues related to the valuation and the rating of Māori land and papakāinga housing would be addressed in the new Te Ture Whenua Māori Bill.⁸⁹

In 2016, the redrafted Te Ture Whenua Māori Bill (draft 2) was released and a series of 22 consultation hui and 14 wānanga (with landowners and trusts) were held. The feedback from the hui and wānanga, and the recommendations in the Waitangi Tribunal report then culminated in draft 17 of the Bill.⁹⁰ When Te Ture Whenua Māori Bill went to select committee in April 2016 it represented a complete overhaul of Te Ture Whenua Māori Act 1993, to enable Māori land owners to retain their land and to make decisions about their land.⁹¹ While it was described by the government as, 'a bill to restate and reform the law relating to Māori land', the bill was not passed.⁹²

In 2019 a Cabinet paper from the Offices of the Minister of Justice and Te Minita Whanaketanga Māori sought approval to introduce Te Ture Whenua Māori (Succession, Dispute Resolution, and Related Matters) Amendment Bill into the House.⁹³ As reported by the Māori Affairs Committee, this Bill

seeks to ensure that the laws governing Māori land (whenua) work better for land owners, their whānau and their hapū. The bill seeks to make practical and technical changes to reduce the complexity and compliance requirements that Māori encounter when engaging with the courts about their Māori land.⁹⁴

Te Ture Whenua Maori (Succession, Dispute Resolution, and Related Matters) Amendment Act came into force on Waitangi Day (6 February) 2021. Te Puni Kōkiri described the new Act as 'reducing the

⁸⁸ Waitangi Tribunal, *He Kura Whenua Ka Rokohanga: Report on Claims about the Reform of Te Ture Whenua Māori Act 1993*, p. 68

⁸⁹ Waitangi Tribunal, *He Kura Whenua Ka Rokohanga: Report on Claims about the Reform of Te Ture Whenua Māori Act 1993*, p. 243

⁹⁰ New Zealand Government, 'Appendix 2: Timeline of Te Ture Whenua Māori reforms', 2016, www.beehive.govt.nz/sites/default/files/Te%20Ture%20Whenua%20Maori%20Reform%20Reference%20Notes.pdf (accessed 6 December 2022)

⁹¹ Ruru, 'Papakāinga and whānau housing on Māori freehold land', pp. 132-133

⁹² New Zealand Parliament, 'Te Ture Whenua Māori Bill', 2017, www.parliament.nz/en/pb/bills-and-laws/bills-proposed-laws/document/00DBHOH_BILL68904_1/te-ture-whenua-m%C4%81ori-bill (accessed 5 December 2022)

⁹³ Office of Minister of Justice and the Office of the Te Minita Whanaketanga Māori, 'Te Ture Whenua Māori (Succession, Dispute Resolution and Related Matters) Amendment Bill', Chair, Cabinet Legislation Committee, 14 October 2019, p. 1

⁹⁴ Māori Affairs Committee, 'Te Ture Whenua Maori (Succession, Dispute Resolution, and Related Matters) Amendment Bill – Commentary', New Zealand Government, 1 May 2020, p. 1

barriers for owners of Māori freehold land who want to use, occupy, build houses on, and develop their whenua, particularly for those who have rates arrears'. The Act also provided more equity, clarity, and consistency about the rating of Māori land, gave local authorities the power to cancel rates arrears, and enabled individual houses on Māori land to be considered just one rating unit and therefore to be eligible for rates rebates.⁹⁵ For those wanting to build homes on their whenua, the Act provided better support for housing, including:

1. It will be possible for trustees of Māori Reservations to grant leases and occupation licenses for a period of more than 14 years, which will remove a barrier to funding for the development of papakāinga housing.
2. The Māori Land Court will be able to grant occupation orders to beneficiaries of a whānau trust, which will mean more people who whakapapa to the land will be eligible for an occupation licence.⁹⁶

The Minister for Māori Development, Willie Jackson, said the amendments to the Act would 'make it easier for Māori landowners to build and raise finance for papakāinga housing, marae and other Māori reservation land'.⁹⁷ The Associate Minister of Housing, Peeni Henare, also acknowledged that Māori had struggled for many years with the barriers to building housing on their whenua. He stated that the changes to the Act reduced these barriers:

As a Government, we have already made changes to the law via the Te Ture Whenua Māori (Succession, Dispute Resolution, and Related Matters) Amendment Act to make it easier for Māori landowners to connect with and use their whenua. Some moves to improve the situation for Māori trying to build are underway.⁹⁸

In 2018, the regulatory and legal framework had been described by the Office of Te Minita Whanaketanga Māori and the Office of the Minister of Justice as 'a key aspect to supporting Māori land owners to realise the full potential of their land'.⁹⁹ The passage of Te Ture Whenua Maori (Succession, Dispute Resolution, and Related Matters) Amendment Act 2021 and the revision of this regulatory and

⁹⁵ Te Puni Kōkiri, 'Changes to the rating of Māori land', 22 September 2022, www.tpk.govt.nz/en/nga-putea-me-nga-ratonga/whenua-maori/proposed-changes-to-the-rating-of-maori-land (accessed 6 December 2022)

⁹⁶ Te Puni Kōkiri, 'New laws for matters related to whenua Māori', 30 June 2022, www.tpk.govt.nz/en/a-matou-whakaarotau/te-ao-maori/te-ture-whenua-maori-act-1993/new-laws-for-matters-related-to-whenua-maori (accessed 6 December 2022)

⁹⁷ Willie Jackson, 'New Māori land law comes into effect', New Zealand Government, 6 February 2021 www.beehive.govt.nz/release/new-māori-land-law-comes-effect (accessed 25 January 2023)

⁹⁸ Peeni Henare quoted in Ella Stewart, 'The Land Laid Bare: Why Māori can't build on their whenua', RNZ, 30 May 2022, www.rnz.co.nz/news/te-manu-korihi/468122/the-land-laid-bare-why-maori-can-t-build-on-their-whenua (accessed 8 December 2022)

⁹⁹ Office of Te Minita Whanaketanga Māori and the Office of the Minister of Justice, 'Paper One: Te Ture Whenua Māori (Succession, Dispute Resolution and Related Matters) Amendment Bill', Chair, Cabinet Māori Crown Relations: Te Arawhiti Committee, 12 November 2018, p. 1

legal framework has been described as widely supported by Māori landowners.¹⁰⁰ The full impact of the changes in the amended Act will become more apparent in coming years.

MAIHI Framework for Action

In 2019 Te Kāhui Kāinga Ora, a dedicated Māori Housing Unit, was established in HUD,¹⁰¹ and in May 2020 Te Maihi o te Whare Māori – the Māori and Iwi Housing Innovation (MAIHI) Framework for Action was approved by Cabinet.¹⁰² The Cabinet paper from the Associate Minister of Housing, Nanaia Mahuta, proposing the MAIHI Framework for Action described it as building on *He Whare Āhuru He Tangata Oranga* and responding to the report of the UN Special Rapporteur on the Right to Adequate Housing (discussed in more detail later in this chapter). The Cabinet paper stated:

What is required is a significant step up and a dedicated and deliberate change in the system including Crown policy and practice. In the last eighteen months we have established new agencies and programmes to address the overall housing crisis, which now provide a unique opportunity to accelerate Māori housing and wellbeing outcomes.¹⁰³

The aim of the MAIHI Framework for Action, developed with key partners from the Māori housing community, is ‘to reshape the housing system, putting Māori at the centre’¹⁰⁴ through holistic, bespoke solutions.¹⁰⁵ The three workstreams in the Framework were focussed on responding to immediate need, reviewing Crown policies and programmes, and resetting systems and processes.¹⁰⁶ A Māori-Crown partnership is built into MAIHI through the MAIHI Partnerships Programme and regular MAIHI Whare Wānanga.¹⁰⁷ The MAIHI Partnerships Programme was designed to support iwi and Māori entities that are wanting to move into housing development through the coordination of government agencies support.¹⁰⁸

¹⁰⁰ Jayden Houghton, ‘Editor’s note’, *Te Tai Haruru: Journal of Māori and Indigenous Issues*, 7, 2020, p. 1

¹⁰¹ HUD, ‘Māori Housing Investment – Partnership Timeline’, 1 February 2023

¹⁰² HUD ‘Māori Housing Investment – Partnership Timeline’

¹⁰³ Nanaia Mahuta, *Te Maihi o te Whare Māori – the Māori and Iwi Housing Innovation (MAIHI) Framework for Action*, p. 1

¹⁰⁴ Te Tūāpapa Kura Kāinga, ‘Our MAIHI approach’. 2023. *Te Tūāpapa Kura Kāinga - Ministry of Housing and Urban Development*. 16 March 2023. <https://www.hud.govt.nz/our-focus/our-maihi-approach/>

¹⁰⁵ Mahuta, *Te Maihi o te Whare Māori – the Māori and Iwi Housing Innovation (MAIHI) Framework for Action*, p. 3

¹⁰⁶ Mahuta, *Te Maihi o te Whare Māori – the Māori and Iwi Housing Innovation (MAIHI) Framework for Action*, p. 2

¹⁰⁷ Nanaia Mahuta, ‘New partnership central to delivering more Māori housing’, 11 August 2020, www.beehive.govt.nz/release/new-partnership-central-delivering-more-m%C4%81ori-housing (accessed 8 December 2022)

¹⁰⁸ Te Tūāpapa Kura Kāinga – Ministry of Housing and Urban Development, ‘MAIHI Whare Wānanga brings Government and Māori housing partners together’, 12 July 2021, www.hud.govt.nz/news/maihi-whare-wananga-brings-government-and-maori-housing-partners-together/, (accessed 15 January 2023)

In May 2020 Cabinet agreed to the establishment of MAIHI Whare Wānanga ‘between representatives from the Māori housing sector and Crown officials to oversee the delivery of the MAIHI Framework of Action and to inform its evolution’.¹⁰⁹ These have brought together representatives from the Māori housing sector, Te Matapihi (described below, Section 6.4), and Crown officials to oversee the delivery of the MAIHI Framework for Action.¹¹⁰ The main agencies involved in the twice-yearly wānanga have been Te Tūāpapa Kura Kāinga, Te Puni Kōkiri, and Kāinga Ora, with some involvement from the Ministry of Social Development. The Associate Minister for Housing, Peeni Henare, stated:

Since the launch of MAIHI Ka Ora we have continued to strengthen this development by working with Te Matapihi, Māori Community Housing Providers, and key leads from the National Iwi chairs Forum. Whānau and hapū representatives who participated in the MAIHI Whare Wānanga have also informed the development of the Implementation Plan.¹¹¹

Budget 2020 allocated \$40 million towards delivering housing outcomes for Māori through the MAIHI Framework for Action. Three funds initially sat under MAIHI: He Taupua Fund – to strengthen Māori housing providers’ capability and capacity; He Kūkū ki te Kāinga Fund – to contribute to increasing housing supply projects; and He Taupae Fund – to build the technical capability of Māori organisations who are contributing to increasing housing supply. The approach to funding is bespoke: ‘[E]ach partnership, each project, that we have engaged with has differed quite considerably and that is kei te pai. [Our] main focus is ensuring that you get what you need at the end of the day and that it is not about the Crown trying to move you into set boxes’.¹¹² In Budget 2021, \$730m was allocated for Whai Kāinga Whai Oranga (discussed in more detail later in this chapter).

MAIHI Ka Ora: The National Māori Housing Strategy 2021

In late 2021, Te Tūāpapa Kura Kāinga - Ministry of Housing and Urban Development launched *MAIHI Ka Ora: The National Māori Housing Strategy 2021-2051*. The strategy was written in partnership with Te Puni Kōkiri, with the support of the National Iwi Chairs Forum, some hapū and iwi, and Te Matapihi, and developed through MAIHI Whare Wānanga. The strategy was described by the agency as elevating the driver of the agency’s whole-of-system approach, Te MAIHI o te Whare Māori – Māori and Iwi Housing Innovation Framework for Action (MAIHI), ‘to provide strategic direction for the whole of

¹⁰⁹ Mahuta, *Te Maihi o te Whare Māori – the Māori and Iwi Housing Innovation (MAIHI) Framework for Action*, p. 7

¹¹⁰ Te Tūāpapa Kura Kāinga – Ministry of Housing and Urban Development, ‘MAIHI Partnerships Programme’

¹¹¹ Peeni Henare, *Māori Housing Strategy: MAIHI Ka Ora – Phase two – Implementation Plan*. Wellington: Associate Minister of Housing (Māori Housing), 2022, p. 4

¹¹² Christina Chase (Manager of the MAIHI Partnerships Team), in Te Matapihi, ‘Transcript for the recording of Te Aho Tāhuhu, Episode 6: MAIHI Funding’, <https://static1.squarespace.com/static/610b4359c603e312b84b4f20/t/6209beb36d10ea045a9d1eb0/1644805813951/Episode+6+-+MAIHI+Funding+%28Final%29.pdf> (accessed 8 December 2022)

the Māori housing system’.¹¹³ The 2020 Cabinet Paper that sought endorsement of MAIHI was clear that the inequities experienced by Māori in housing and home ownership were sourced in the colonisation of this country, land dispossession, and the failure of the housing system imposed by the Crown.¹¹⁴ Within MAIHI, ‘Te Mauri o te whānau’ (that is, the life force of the whānau) is positioned at the centre of all Crown Māori housing responses and is, in turn, guided by principles of tikanga, whakamana, manaakitanga, tino rangatiratanga, and whanaungatanga (see Figure 6.4).

MAIHI principles and framework

The MAIHI principles identify Te Mauri o te whānau at the centre of all our responses – that is the life force of the whānau at the centre to build strength and resilience from within.

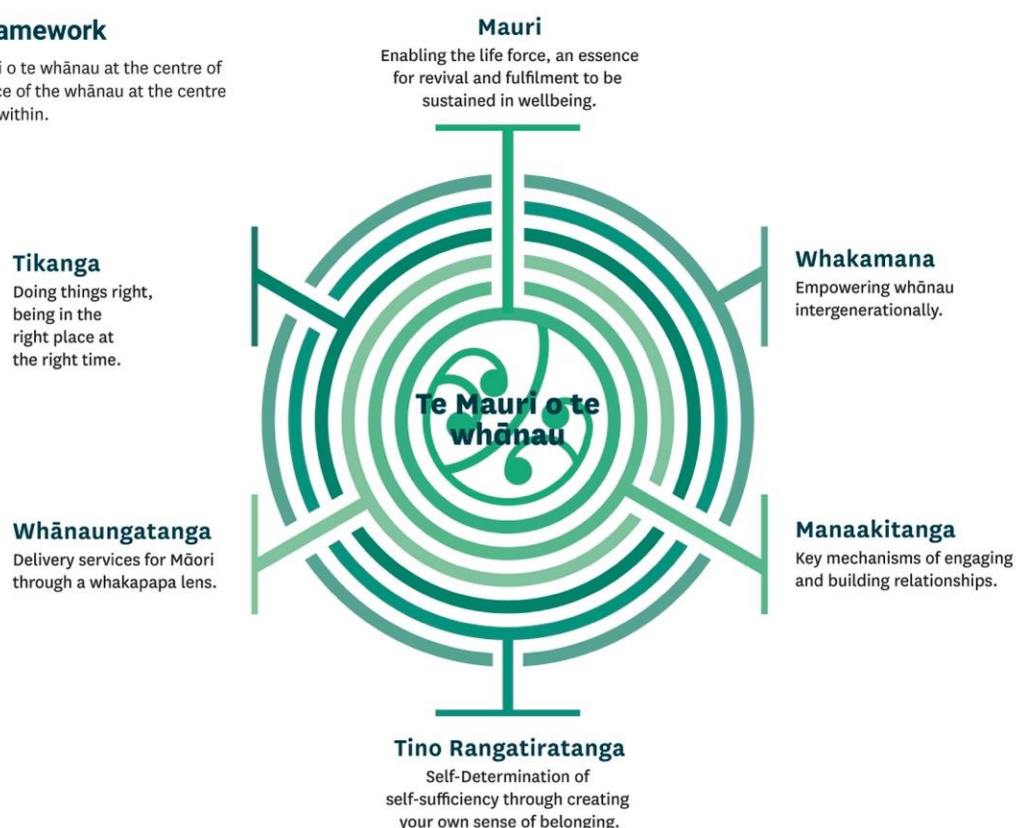


Figure 6.4: MAIHI principles and framework.

Te Tūāpapa Kura Kāinga, *MAIHI Ka Ora – The National Māori Housing Strategy*, 2021, p. 6

The sixth biennial National Māori Housing Conference, organised by Ngāti Kahungunu in Hastings in 2021, was attended by the Minister for Housing, Megan Woods, and Ministers Peeni Henare (Māori housing), Marama Davidson (homelessness), and Willie Jackson (Māori development). In her speech to the conference, Woods, said: ‘I don’t need to tell you about the long history that has taken us to the

¹¹³ Te Tūāpapa Kura Kāinga – Ministry of Housing and Urban Development, *MAIHI Ka Ora – The National Māori Housing Strategy 2021–2051*, Wellington: Te Tūāpapa Kura Kāinga – Ministry of Housing and Urban Development, 2021, p. 5

¹¹⁴ Nanaia Mahuta, ‘Te Maihi o te Whare Māori – the Māori and iwi Housing Innovation (MAIHI) Framework for Action’, Cabinet Paper for the Chair, Cabinet Social Wellbeing Committee, 2020, p. 1

position we are in, in regard to Māori today; and equally I think we all appreciate it won't be a short journey to change that course of history'.¹¹⁵ The position we are in is one where Māori are over-represented among those suffering severe housing deprivation, alongside the continued burden of social, economic and health disparities.¹¹⁶ Woods went on to describe the need for governments to be deliberative in their housing policies, in both government housing initiatives for Māori and government funding for Māori and iwi organisation to implement kaupapa Māori (with Māori, by Māori, for Māori) housing solutions.¹¹⁷ Woods also emphasised that the government's

kaupapa Māori (Te Maihi o te Whare Māori) approach and our place-based approach is proving the foundation for the Government's work in housing. We expect to see more bespoke responses to different housing needs, especially for Māori.¹¹⁸

This strategy recognises the complexity of our housing system, the system failures, and the range of responses required. It also contains specific provisions for ongoing monitoring and evaluation, and formal review every three years. While highly critical of the 2014 Māori Housing Strategy, *He Whare Āhuru*, Jade Kake (Ngāti Hau me Te Parawhau, Ngāpuhi, Te Whakatōhea, Te Arawa) called *MAIHI Ka Ora*

a game changer ... [that] critically refers to the articles, rather than the principles, of Te Tiriti. It explicitly refers to the Government using its levers under Article One, to enable Māori-led solutions under Article Two, and, if these are achieved, works towards providing oritetanga/equity under Article Three.¹¹⁹

As with the Strategy, the development of the Implementation Plan was led by the Ministry of Housing and Urban Development, in partnership with Te Matapihi, and through a co-design approach with iwi, hapū and whānau Māori.¹²⁰ The plan includes a review of all funding levers available to Māori, including a comprehensive review of the Kāinga Whenua Loan Scheme; and a review of settings for the establishment of papakāinga on whenua Māori, with the goal of addressing persistent barriers.¹²¹

¹¹⁵ Megan Woods, 'Speech to the National Māori Housing Conference 2021', 26 February 2021, <https://www.beehive.govt.nz/speech/speech-national-m%C4%81ori-housing-conference-2021> (accessed 15 February 2022)

¹¹⁶ Kāinga Ora, 'Tauākī Whakamaunga Atu - Our Statement of Intent 2019-2023', 2020, p. 13; Ministry of Health, *Wai 2575 Māori health trends report*, Wellington: Ministry of Health, 2019, pp. 15-22; StatsNZ, 'Wellbeing statistics: 2021', StatsNZ Tatauranga Aotearoa, 15 July 2022 www.stats.govt.nz/information-releases/wellbeing-statistics-2021/ (accessed 25 January 2023)

¹¹⁷ Woods, 'Speech to the National Māori Housing Conference 2021'

¹¹⁸ Woods, 'Speech to the National Māori Housing Conference 2021'

¹¹⁹ Jade Kake, 'New Māori housing strategy is a game changer,' 5 October 2021, *Stuff*, www.stuff.co.nz/business/opinion-analysis/126587382/new-mori-housing-strategy-is-a-game-changer (accessed 8 December 2022)

¹²⁰ *MAIHI Ka Ora Implementation Plan*, March 2022, p. 7.

¹²¹ *MAIHI Ka Ora Implementation Plan*, March 2022, p. 21.

There is focus on data collection, with resourcing and systems to produce research required to convert this data into meaningful insights to feed back into policy development.¹²²

6.3. Local Government (Rating of Whenua Māori) Amendment Act 2021

In April 2021, the Local Government (Rating of Whenua Māori) Amendment Act 2021 was passed and came into effect on 1 July 2021. Under the Act, local authorities can remove rates arrears and make unused land non-rateable, and there is statutory rates remission for land under development. In addition, ‘multiple Māori land blocks from a parent block’ will be treated as one rating unit, as will individual houses on Māori land. Low-income homeowners will therefore be able to receive rates rebates if there is more than one home on their block.¹²³ In addition to these key changes, Te Puni Kōkiri lists the following changes:

- provide protection to Māori land made general land by the Māori Affairs Amendment Act 1967 from being leased or sold as “abandoned land sales”
- remove the arbitrary two-hectare limit on the non-rateability for marae and urupā
- extend the non-rateability for marae to all land, not just those on a Māori reservation
- clarify the obligations on trustees to declare income received from land if requested to ascertain rates liability
- clarify that homes on Māori reservations are liable for rates
- reference the preamble of Te Ture Whenua Māori Act 1993 in relevant local government legislation to signal the intent of the rating changes.¹²⁴

In summary, the targeting and tailoring of Māori housing strategy has increased from 2008 to 2021. These years saw an unprecedented flurry of activity around Māori housing that began with the Crown’s request that the Auditor-General conduct a performance audit of government funding and support for housing on Māori land. The recommendations from this audit informed the development of the 2014 Māori Housing Strategy, *He Whare Āhuru He Oranga Tāngata*, and the formation of the Māori Housing Network in 2015 to enable Te Puni Kōkiri to be a one-stop-shop for advice and support for those wanting to building homes on their land. *MAIHI Ka Ora: The National Māori Housing Strategy 2021–2051* has been described as kaupapa Māori (by, with and for Māori) and has been developed and implemented in collaboration with iwi and Māori. It is yet to be seen how these initiatives will work in action, but the signs are promising in terms of the growth of Crown funding and support for housing on Māori land.

¹²² *MAIHI Ka Ora Implementation Plan*, March 2022, pp. 28-29.

¹²³ Te Puni Kōkiri, ‘Changes to the rating of Māori land’

¹²⁴ Te Puni Kōkiri, ‘Changes to the rating of Māori land’

6.4. How did the Crown inform itself of Māori housing needs and preferences with respect to Māori land?

In response to rising concerns around the country about housing affordability, the Fifth National Government (2008–2017) asked state agencies to report on housing affordability and developed a Māori housing strategy, with its implementation largely led by Te Puni Kōkiri.¹²⁵ From 2017 to 2021, the Labour Government built on the information that had been gathered and embarked on the development and implementation of a refreshed Māori housing strategy that increased funding and strengthened the responsiveness of the Crown's housing agencies. Those strategies are discussed above. This section describes how the Crown informed itself of housing needs and preferences for building housing on Māori land. The following section, on the kinds of housing assistance that was available to Māori for building housing on Māori land, provides more details about changes in housing assistance made in response to the Crown being informed about Māori housing needs and preferences.

Housing New Zealand produced three consecutive Māori Housing Trends reports in 2008, 2009 and 2010.¹²⁶ These reports provided an overview of the Māori population and housing. The 2008 report cited research by Waldegrave and colleagues, that the private sector would not provide mortgage finance for housing on Māori land.¹²⁷ The report also commented on the reasons for the often poor state of dwellings occupied by rural Māori, echoing much of what was well-known from research and surveys:

The return migration of many Māori families to these rural areas and the lack of available housing led to a trend of re-occupation of the previously abandoned houses. The paucity of houses, combined with the inability to get planning permission to build, or acquire finance for a house on multiple-owned land has led to the construction of makeshift dwellings and these houses have been occupied for long periods of time. Across many of these rural areas the standard of housing is further compromised because of the lack of power, water and sewerage services. These substandard houses have adverse outcomes on the health and well-being of their occupants. Households living in rural locations are often at a disadvantage due to a lack of services or infrastructure. Isolation, lack of skilled trades' people, infrastructure deficiencies

¹²⁵ Colin McLeay, 'Housing Accords and Special Housing Areas Act 2013 and the erosion of democracy', *New Zealand Geographer*, 76, 2020, p. 129

¹²⁶ Housing New Zealand Corporation, *Māori housing trends*, Wellington: Housing New Zealand Corporation, 2008; Housing New Zealand Corporation, *Māori housing trends*, Wellington: Housing New Zealand Corporation, 2009; Flynn, Michael, Sherry Carne, and Ma'anaima Soa-Lafoa'i, 'Māori housing trends 2010', Housing New Zealand Corporation, 2010

¹²⁷ Charles Waldegrave, Peter King, Tangihaere Walker, and Eljon Fitzgerald, 'Māori housing experiences: Emerging trends and issues', Wellington: Centre for Housing Research, Aotearoa New Zealand and Te Puni Kōkiri, 2006

and poor housing stock are all issues that result in substandard housing and make improvements to housing difficult.¹²⁸

When the decline in Māori home ownership was described in the 2010 report (based on 2006 Census data), the authors again wrote that barriers to Māori being housed on their own land meant that ‘the number of Māori living on, or wanting to live on, land that is under multiple-title was restricted’.¹²⁹ Te Puni Kōkiri published a Fact Sheet in 2010 on Māori Housing Trends in which it also highlighted falling Māori homeownership rates.¹³⁰

A number of other Crown agencies produced reports around this time that touched on themes relevant to housing and housing on Māori Land, though they did not always make explicit mention of the latter. The focus of the Ministry for the Environment’s 2010 discussion document, *Building competitive cities*, was described as ‘improving the planning system for New Zealand’s urban areas and infrastructure’, with the government’s decision-making including an objective of achieving ‘efficient and improved participation of Māori in resource management processes’.¹³¹ There was, however, little mention of Māori in this discussion document as this objective – Māori participation – was reported to be the subject of a future discussion document. This future document has not been located. The Department of Building and Housing’s report, *New Zealand Housing Report 2009/2010: Structure, pressures and issues*, gave even less attention to Māori housing. Māori were mentioned only once in this report in relation to household crowding (23 per cent of Māori households required at least one additional bedroom), with ‘cultural and economic factors’, along with the youthfulness of the Māori population, seen as the drivers of ethnic differences in crowding.¹³²

When they became Members of Parliament and Ministers in 2008, Māori Party Co-Leaders Dr Pita Sharples and Tariana Turia promoted programmes of work to provide services and support to whānau. In 2010, a Taskforce on Whānau-Centred Initiatives engaged in a very well-attended round of consultation hui with Māori. The Taskforce was chaired by Sir Mason Durie, and included Rob Cooper (with a background in Māori health), Di Grennell (with a background in family violence prevention),

¹²⁸ Housing New Zealand Corporation, *Māori housing trends*. Wellington: Housing New Zealand Corporation, 2008, p. 44

¹²⁹ Flynn, Michael, Sherry Carne, and Ma’anaima Soa-Lafoa’i, ‘Māori housing trends 2010’, Housing New Zealand Corporation, 2010, p. 51

¹³⁰ Te Puni Kōkiri, ‘Te Ara Ahu Whakamua - Proceedings of the Māori Health Decade Hui, Rotorua March 1994’. 1994

¹³¹ Ministry for the Environment, ‘Building competitive cities Reform of the urban and infrastructure planning system. A discussion document’, 2010, pp. vii-viii

¹³² Department of Building and Housing, ‘New Zealand Housing Report 2009/2010: Structure, pressures and issues’, 2010, p. 73

Susan Snively (an economist) and Nancy Tuaine (with a background in health and social services).¹³³ The Taskforce's 2010 report promoted the delivery of Whānau Ora (Māori family wellness) services that were shaped by te ao Māori and had whānau at the centre. In other words, services that built trust relationships with whānau and were responsive to what whānau needed. As part of the holistic nature of Whānau Ora, the Taskforce included suitable housing as part of whānau wellbeing and identified sub-standard housing (including household crowding) as adding to whānau vulnerability.¹³⁴ There was nothing specific about housing on Māori land in the Taskforce's 2010 report.

In addition to the general Māori feedback gained through the Whānau Ora consultations, the Crown has been informed about Māori housing through the biennial National Māori Housing Conferences. The first conference, initiated by Māori housing advocates and held at Te Papa iouru Marae in Rotorua in 2010, was supported by Te Puni Kōkiri Te Arawa. A focus of the conference was on collaboratively progressing Māori housing aspirations. As reported in Te Puni Kōkiri's *Kōkiri* magazine:

Tools to assist papakāinga developments were presented and discussed, case studies shared as well as inspirational kōrero from a range of speakers who shared their experiences, challenges and opportunities addressed on their journeys to creating their respective papakāinga.¹³⁵

The non-governmental organisation, Te Matapihi he Tirohanga mō te iwi Trust (Te Matapihi), was formed at this inaugural conference.¹³⁶ Te Matapihi describes itself as 'the independent national peak body for Māori housing' (discussed later in this chapter).¹³⁷ The National Māori Housing Conference has since been held every two years, apart from the disruption of the Covid-19 lockdown in 2020 when it was postponed for a year. It has continued to be sponsored by Te Puni Kōkiri and attended by government ministers and has provided a forum for Māori to share developments and local strategies as well as comment on government initiatives.

¹³³ Taskforce on Whānau-Centred Initiatives, *Whānau Ora: Report of the Taskforce on Whānau-Centred Initiatives*, to Hon. Tariana Turia, Minister for the Community and Voluntary Sector, Wellington: Taskforce on Whānau-Centred Initiatives, 2010, p. 5; Tariana Turia, 'Whānau Ora Taskforce announced', New Zealand Government, 15 June 2009, www.beehive.govt.nz/release/whanau-ora-taskforce-announced (accessed 25 January 2023)

¹³⁴ Taskforce on Whānau-Centred Initiatives, *Whānau Ora: Report of the Taskforce on Whānau-Centred Initiatives*, pp. 14-15

¹³⁵ Te Puni Kōkiri, 'Te Arawa: National Māori Housing Conference 2010', *Kōkiri*, 18, (2010), www.tpk.govt.nz/en/mo-te-puni-kokiri/kokiri-magazine/kokiri-18-2010/te-arawa-national-maori-housing-conference-2010 (accessed 25 January 2023)

¹³⁶ Controller and Auditor-General, 'Government planning and support for housing on Māori land. Progress in responding to the Auditor-General's recommendations', p. 7; Maurice Williamson, 'Address to National Māori Housing Conference', 23 March 2010, www.beehive.govt.nz/speech/address-national-māori-housing-conference (accessed 13 January 2023)

¹³⁷ 'Our Background', www.tematapihi.org.nz/who-we-are (accessed 17 January 2023)

In 2010 the Centre for Housing Research, Te Puni Kōkiri and the Department of Labour commissioned Darroch Limited to undertake a sub-regional analysis of housing demand in Northland. Rural Māori housing and housing on Māori land was one of four housing aspects focused on. The report stated that housing on Māori land ‘could make economic sense’ because utilising the extensive Māori land in the region would remove the land cost component of housing.¹³⁸ However, the report also listed a raft of constraints on realising this, including ownership clarity and agreement, housing finance and cost of infrastructure, planning regulations, lack of suitability of land (for example, landlocked, flood plain), and lack of Māori capability.¹³⁹ The rating system was singled out as a ‘key impediment’, as development proposals that incurred rates based on the highest or best use for the land made development uneconomic. (The Local Government (Rating of Whenua Māori) Amendment Act 2021 legislated for rates remission for Māori land that was under development.¹⁴⁰) The report noted,

It has been suggested that the existing rating structure acts to ensure multiple-owned Maori owned land, especially coastal land, remains undeveloped and therefore increases the amenity value of adjacent, largely Pakeha owned, ‘general’ land.¹⁴¹

Three case studies in the report showcased the desire and ability of iwi and hapū (Te Rarawa, Ngāpuhi, Kingi Waiau Trust) to lead and implement their own housing strategies.¹⁴² The report also identified challenges to the sustainability of initiatives led by iwi and hapū, including

instability in relationships with key stakeholders owing to political and organisational changes; access to funding; changing government housing policies; access to land and tenure issues; and a need for flexibility in approach both by iwi and Government.¹⁴³

In 2011, Te Puni Kōkiri published a report on Māori landowners’ aspirations, *Ko Ngā Tumanako o Ngā Tāngata Whai Whenua Māori*, based on six hui held around the country. The report identified Māori aspirations to retain, use, and improve their land, which included building whānau housing on Māori land.¹⁴⁴ Some of the issues raised at these hui are highlighted here and discussed in the context of other information sources.

¹³⁸ Darroch Limited, *Sub-regional housing demand in the Northland region*. Wellington: Centre for Housing Research, 2010, p. 7

¹³⁹ Darroch Limited. *Sub-regional housing demand in the Northland region*, p. 7

¹⁴⁰ Te Puni Kōkiri, ‘Changes to the rating of Māori land’. 22 September 2022. *Te Puni Kōkiri*. 6 December 2022. <https://www.tpk.govt.nz/en/nga-putea-me-nga-ratonga/whenua-maori/proposed-changes-to-the-rating-of-maori-land>

¹⁴¹ Darroch Limited. *Sub-regional housing demand in the Northland region*, p. 7

¹⁴² Darroch Limited. *Sub-regional housing demand in the Northland region*, p. 8

¹⁴³ Darroch Limited. *Sub-regional housing demand in the Northland region*, p. 119

¹⁴⁴ Whaimutu Dewes, Tony Walzl, and Doug Martin, ‘Ko Ngā Tumanako o Ngā Tāngata Whai Whenua Māori - Owner aspirations regarding the utilisation of Māori land’, Wellington: Te Puni Kōkiri, 2011, p. 5, p. 25

Hui participants believed that banks would not fund housing on Māori land. Māori freehold land can legally be alienated under Te Ture Whenua Māori 1993, including alienation through mortgaging. Alienation had to be approved by the Māori Land Court, as did the sale of that land if the mortgagee defaulted. There has been disagreement among commentators about whether, if the land was subjected to a mortgagee sale, it would have to be sold to a whānau member. However, once the land has been mortgaged there have been few restrictions on a mortgage provider (such as a bank) selling the land to recover the debt owed.¹⁴⁵ Even so, perceptions have continued that debt-funding against Māori land is difficult, if not impossible.

A hui participant shared their experience of whānau going to the Māori Land Court to transfer their land back into general title so they could get mortgage finance.¹⁴⁶ This type of experience was also highlighted by researcher Brigid Te Ao McCallum Livesey. She reviewed the National Māori Land Court newsletters for April, June and August 2010 and found eight applications for sale or partition of land, and six applications from people wanting to change the status of their land block from Māori title to general title, with at least one owner claiming an inability to get mortgage finance as a justification for their application.¹⁴⁷ The partitioning of land to fulfil housing mortgage needs raised at least two important issues. First, it signalled that Māori freehold land was of a lesser status than general land because people had difficulties using it as mortgage security. Second, if the mortgage lender defaulted the land could be sold without recourse to the Māori Land Court to have the status of the land changed back to Māori freehold.¹⁴⁸ In addition, some banks have provided mortgage finance for housing on Māori freehold land so there may be other reasons why some people have been declined finance (such as relationship issues with other shareholders that banks will not become involved in). Westpac Bank also considers whether a mortgage would be for building on culturally significant land (such as ancestral land), and uses this ‘culture’ factor as a positive, additive component in their decision-making about offering finance.¹⁴⁹

Another barrier to building housing on Māori land identified at the Te Puni Kōkiri landowners’ hui was disagreement among owners. A speaker noted that the problems between owners included ‘the lack of

¹⁴⁵ Māori Land Court, ‘Your Māori land’, Ministry of Justice, 2023 <https://maorilandcourt.govt.nz/your-maori-land/using-your-maori-land/finance-and-mortgages/> (accessed 25 January 2023)

¹⁴⁶ Dewes, Walzl, and Martin, ‘Ko Ngā Tumanako o Ngā Tāngata Whai Whenua Māori - Owner aspirations regarding the utilisation of Māori land’, p. 38

¹⁴⁷ Livesey, ‘He Kāinga Hou ki te Hau Kāinga - Housing development on multiply-owned ancestral land in a high-growth area of New Zealand’, p. 10, p. 18

¹⁴⁸ Joshua Hitchcock, ‘Financing Māori land development: The difficulties faced by owners of Māori land in accessing finance for development and a framework for a solution’, *Auckland University Law Review*, 14, 2008, p. 220

¹⁴⁹ Westpac Bank, Mortgage Manager, personal communication, 3 October 2022

communication, the lack of a vision and, in a way, we're all at different stages for goodness sake so we can't really come together collectively', even though they had the same tūpuna. It was noted that sometimes immediate whānau could come to agreement, but this was more difficult in wider whānau or hapū landowner collectives as people had different aspirations.¹⁵⁰ However, 'personality differences' among immediate whānau also had the potential to create disagreements:

One example given was where one person had more shares and thus considered themselves entitled to more houses or bigger rooms. Another example indicated that richer relations in Australia wanted to use their money to build "flash" places. It appeared there were personality clashes between some whānau members.¹⁵¹

The nature of whānau disagreements has also been articulated by Professor Jacinta Ruru (Raukawa, Ngāti Ranginui, Ngāti Maniapoto):

If Māori freehold land is owned by more than one owner (which is the norm), then the very nature of multiple ownership can make it difficult for owners to build residential homes on their land. Will other owners agree to one owner building a house on the land for his/her exclusive benefit? Where on the land should the home be built? Will other owners also be able to build houses on this land in the future? Who will be able to own the house in the future? What security will be able to be offered if a mortgage is required to raise the capital to build the home? These are all issues that plague the development of Māori freehold land.¹⁵²

People also told Te Puni Kōkiri that a further difficulty in gaining the agreement of shareholders was their inability to contact all owners to seek permission.¹⁵³ In its 2004 performance audit of the Māori Land Court, the Officer of the Auditor-General had recommended that the Court develop a central database of Māori landowners and their contact information.¹⁵⁴ The lack of this contact information remains a barrier. The Court introduced a Māori land Geographic Information System in 2011, albeit at the time incomplete and reliant on shareholders to update their information.¹⁵⁵ Since then the Māori

¹⁵⁰ Dewes, Walzl, and Martin, 'Ko Ngā Tumanako o Ngā Tāngata Whai Whenua Māori - Owner aspirations regarding the utilisation of Māori land', p. 25

¹⁵¹ Dewes, Walzl, and Martin, 'Ko Ngā Tumanako o Ngā Tāngata Whai Whenua Māori - Owner aspirations regarding the utilisation of Māori land', p. 25

¹⁵² Ruru, 'Papakāinga and whānau housing on Māori freehold land', p. 133

¹⁵³ Ruru, 'Papakāinga and whānau housing on Māori freehold land', p. 135

¹⁵⁴ Controller and Auditor-General, 'Māori Land Administration: Client Service Performance of the Māori Land Court Unit and the Māori Trustee', 2004, p. 14

¹⁵⁵ Controller and 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', pp. 55-56

Land Data Service has continued to be updated and contains a raft of information on land blocks and shareholders.¹⁵⁶

Office of the Auditor-General Inquiry, 2011

The same year as Te Puni Kōkiri published its report on Māori landowners' aspirations (see above), the Office of the Auditor-General published its report of the first performance audit (carried out under section 16 of the Public Audit Act 2001) of government planning and support for housing on Māori land. This was the first sustained examination of the barriers Māori faced to building homes on their own land. The rationale given by the Office for conducting the performance audit included the disproportionately poor housing situation of Māori along with Māori aspirations to build on their own land. In addition, the mixed success of government assistance suggested that the Office 'could provide a cross-sector perspective on how to improve effectiveness' for what was perceived to be a complex problem requiring the cooperation of multiple agencies.¹⁵⁷

The performance audit focused on the work of two government agencies – Housing New Zealand Corporation (Housing Innovation Fund, Māori Demonstration Partnership, Kāinga Whenua loans) and Te Puni Kōkiri (Special Housing Action Zones) – that were delivering Crown programmes for housing on Māori land (also see below, Section 6.5).¹⁵⁸ There were four main audit criteria:

Are programmes well designed?

Are programmes implemented effectively and is development made as easy as possible?

Is planning appropriate and supportive?

Can the costs of building houses on Māori land be reduced?¹⁵⁹

The performance audit included in-depth interviews with Māori organisations and individuals that had or were in the process of building houses on Māori land in Tai Tokerau, Tāmaki Makaurau, Tauranga Moana – Mataatua (Bay of Plenty), and Ōtautahi and Waimakariri (in Canterbury).¹⁶⁰ These interviews revealed the desire of Māori to live on their whenua, which they considered to be taonga tuku iho – a

¹⁵⁶ Māori Land Court, 'Your Māori land', Māori Land Court – Te Kooti Whenua Māori, 2023 <https://maorilandcourt.govt.nz/your-maori-land/maori-land-data-service/> (accessed 26 January 2023)

¹⁵⁷ Controller and 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', p. 19

¹⁵⁸ Controller and 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', p. 20

¹⁵⁹ Controller and 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', p. 21

¹⁶⁰ Controller and 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', p. 21. In addition, agency (HNZC, TPK, Māori Land Court) staff and key informants (including from Kiwibank and building firms) were interviewed, and documentation (including research) reviewed.

treasure handed down through the generations – and a source of mana and wellbeing.¹⁶¹ Building on Māori land also had the potential to make housing more affordable, and support population growth as 30 per cent of Māori land was near towns (for example, in the Bay of Plenty). In spite of this potential, the performance audit identified barriers Māori were experiencing to realising their housing aspirations, including difficulties raising finance, planning restrictions, rates arrears, infrastructure costs, and gaining shareholder consents.¹⁶² (Table 6.1 is reproduced below from the Auditor-General’s report and the responses are discussed further in Section 6.5 on housing assistance programmes). In addition, while Māori land interests had been recognised and protected in legislation (Resource Management Act 1991, Te Ture Whenua Māori Act 1993, Local Government Act 2002), planning processes remained that frustrated Māori wanting to build on their own land.¹⁶³

Table 6.1: Barriers to building houses on Māori land identified in the Auditor-General’s 2011 report, Controller and Auditor-General, ‘Government planning and support for housing on Māori land’, pp. 26-27, Figure 3.

Issue	Response
Difficulty in raising finance: Banks have been reluctant to lend money for mortgages on Māori land. Although they can take Māori land as security for a loan, if the bank needs to take the land because of default on the loan, it is difficult to sell the land to recover the money lent.	Kiwibank has a loan called Kāinga Whenua, which is specifically designed for home loans on multiply-owned Māori land. HNZA underwrites the loans. HNZA also provides finance for housing developments on multiply-owned Māori land through the Māori Demonstration Partnership fund (the MDP fund), a contestable fund to which iwi and hapū organisations can apply.
Planning restrictions: A lot of Māori land is in rural areas or on the outskirts of towns. Traditionally, it has been used for agriculture or has not been used at all. Because of the conditions and use of Māori land, it is often zoned as rural. This restricts the number of houses that can be built and can affect designs and plans for housing developments. District planning has not traditionally looked at Māori land as providing a means for housing development, so resource consent applications can prove costly.	Local authorities are revising their district plans. Some are using the revisions to change their approach to planning for and zoning Māori land. Some local authorities have implemented consultation processes and planning regulations designed to facilitate housing development on Māori land. ¹⁶⁴ Some local authorities are leading the coordination of agencies to support Māori housing aspirations. ¹⁶⁵ Local authorities have responsibilities under the Resource Management Act 1991 and the Local Government Act 2002 to consult with tangata whenua.

¹⁶¹ Controller and 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’, p. 23

¹⁶² Controller and 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’, pp. 25-27

¹⁶³ Controller and Auditor-General, ‘Government planning and support for housing on Māori land’, p. 106

¹⁶⁴ Controller and Auditor-General, ‘Government planning and support for housing on Māori land’, p. 63

¹⁶⁵ Controller and Auditor-General, ‘Government planning and support for housing on Māori land’, p. 63

Issue	Response
	<p>This should include Māori landowning groups, in addition to iwi and hapū.</p> <p>Local authorities can do more to explain planning processes, including exemption and remission policies, and ensure that planning costs are a barrier for Māori wishing to build on their land.¹⁶⁶</p>
<p>Rates arrears: Over time, rates arrears have built up on Māori land. Although rates assessed on Māori land account for only about 0.3 % of all rates, the arrears of rates on Māori land make up 29 % of all arrears.</p> <p>Owners of Māori land are sometimes reluctant to put housing on land because they fear they will become responsible for paying the arrears.</p>	<p>Local authorities have rates remission policies that can overcome this barrier.</p> <p>Land around a new house can be “apportioned” so the household is responsible only for the rates due on the land around the house and not the whole of the land block.</p>
<p>Infrastructure: Because of its rural zoning and its location, Māori land is often poorly connected to main services such as water, stormwater, electricity, and waste-water. The costs required to install the necessary infrastructure can prove prohibitive and delay housing developments.</p>	<p>Some of a Kāinga Whenua loan can be used to fund some infrastructure.</p> <p>Māori Development Programme fund applicants include infrastructure costs in their proposals.</p>
<p>Gaining consent to build where there are many owners: There can be many, sometimes hundreds, of shareholders in a block of multiply-owned Māori land. On average, there are 86 owners for each land title. Contacting these shareholders can be costly and time consuming. Sometimes, shareholders do not agree what should be done with the land, delaying or even stopping plans to build housing.</p>	<p>Principal Liaison Officers in regional offices of the Māori Land Court provide advice and support to people seeking to contact their fellow shareholders in blocks of multiply-owned Māori land. Clients of the Court can also post notices on the Māori Land Court website.</p> <p>The Māori Land Information System was introduced in 2000. This provides information on title holders of all Māori land blocks. In 2011, a Māori Land Geographic Information System was introduced that provides detailed information about all Māori land in written and picture form.</p> <p>In 2004, we recommended that the Māori Land Court compile a database of addresses of shareholders of Māori land. A database has been made available. However, the Māori Land Court relies on shareholders to update the information. Some of the information is therefore incomplete or outdated.</p>

The performance audit recognised that Māori had to access information and advice about building on Māori land from a number of different agencies, as there was no one, single agency that could provide all the information that was needed. In addition, the different agencies did not work together in a coordinated fashion and did not understand each other’s requirements.¹⁶⁷ It was also unlikely that agency staff had a good overall understanding of issues related to building housing on Māori land. For example,

¹⁶⁶ Controller and Auditor-General, ‘Government planning and support for housing on Māori land’, p. 63

¹⁶⁷ Controller and Auditor-General, ‘Government planning and support for housing on Māori land’, p. 51

Māori Land Court Principal Liaison Officers understood the law about Māori land but did not fully understand local authority planning requirements.¹⁶⁸ The performance audit report illustrated the multitude of engagements Māori had to negotiate in Figure 6.5 below.

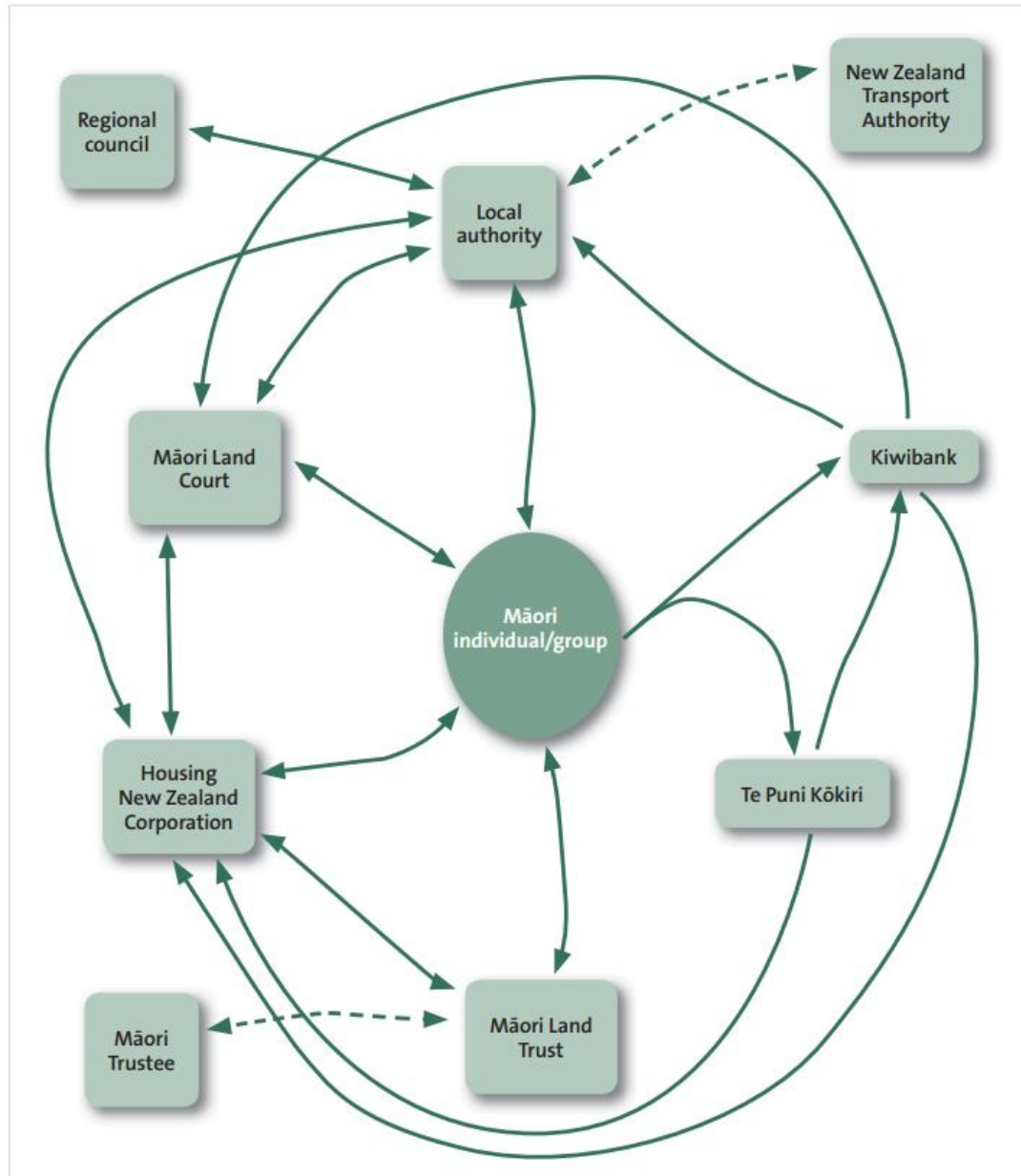


Figure 6.5: Auditor-General's 2011 report mapping of government agencies that owners of Māori land interact with when they decide to build on Māori land. Source: Controller and Auditor-General, 'Government planning and support for housing on Māori land', p. 53

¹⁶⁸ Controller and Auditor-General, 'Government planning and support for housing on Māori land', pp. 54-58

The performance audit recognised that some agency employees were able to provide high quality advice, and that when agencies worked together in some places, this worked well.¹⁶⁹ For example, Whangārei City Council and the Māori Land Court were coordinating services.¹⁷⁰ The Joint Agency Working Group formed in the Bay of Plenty in 2009 was also described as an example of good practice. In addition to pooling their knowledge and resources, the Joint Agency Group established a Papakāinga Focus Group of Māori trusts interested in developing housing on their land. This group, in turn, contributed to zoning revisions in the Western Bay of Plenty District Council and the Tauranga City Council district plans.¹⁷¹

The Office of the Auditor-General recommended improved local agency coordination, by:

- having one organisation act as a single point of contact for Māori who want to build housing on their land;
- agreeing a shared process that sets out who will work with Māori who want to build on their land and when; and
- having staff with relevant expertise and knowledge available to provide high- quality information and advice.¹⁷²

At the same time as the performance audit was being conducted, Cabinet reviewed the role of HNZN in Crown housing programmes. Based on the recommendation of the Housing Shareholders Advisory Group, set up at the request of the Minister of Housing, Cabinet made a decision to transfer housing programmes that supported housing on Māori land to the Department of Building and Housing.¹⁷³ By the time of the Office of the Auditor-General's 2014 progress report, there was no single point of contact, but Te Puni Kōkiri was acting as the first point of contact in most regions, and there was more local and national collaboration.¹⁷⁴

As part of the performance audit, the Office of the Auditor-General commissioned a planning firm to examine the local government costs and processes involved in gaining building and resource consents for housing on Māori land.¹⁷⁵ Most of the costs incurred were development and/or financial contribution charges (3.5 per cent of the total development cost, on average), with resource consent, and building

¹⁶⁹ Controller and Auditor-General, 'Government planning and support for housing on Māori land', p. 52

¹⁷⁰ Controller and Auditor-General, 'Government planning and support for housing on Māori land', p. 59

¹⁷¹ Controller and Auditor-General, 'Government planning and support for housing on Māori land', p. 59

¹⁷² Controller and Auditor-General, 'Government planning and support for housing on Māori land', 2011, p. 60

¹⁷³ Controller and Auditor-General, 'Government planning and support for housing on Māori land', 2011, p. 33

¹⁷⁴ Controller and Auditor-General, 'Government planning and support for housing on Māori land. Progress in responding to the Auditor-General's recommendations', p. 6

¹⁷⁵ Controller and Auditor-General, 'Government planning and support for housing on Māori land', 2011, p. 66; Boffa Miskell, 'Papakāinga development costs: An assessment of the planning and development costs associated with building affordable housing on Maori land', Auckland: Boffa Miskell, 2011, p. 1

consent adding another 1.0 per cent on average to this. The planning costs, while a smaller proportion of the development costs, could amount to \$25,000 per house, payable in the early stages of a development.¹⁷⁶ The cost variation across local authorities depended on which one of three identified approaches they took or intended to take to planning costs for housing on Māori land. The advantages and disadvantages of each approach were summarised in the Office of the Auditor-General's report (see Table 6.2 below). While zoning Māori land was found to have a financial advantage, basing approvals on land management plans within the current zoning provisions was seen by the planning firm as having greater development design flexibility, including the potential for better resource management outcomes.¹⁷⁷ As a result of this investigation, the Office of the Auditor-General recommended: 'That local authorities build appropriate flexibility into their district plans to allow housing to be built on Māori land'.¹⁷⁸

Table 6.2: Advantages and disadvantages of different approaches to planning for housing on Māori land, Controller and Auditor-General, 'Government planning and support for housing on Māori land', p. 67, Figure 28

Planning approach	Advantages	Disadvantages
No zoning or recognition for housing on Māori land	None	Makes housing on Māori land an average \$10,000 more expensive for each house than zoning for it.
Zoning particular areas of Māori land for housing (sometimes referred to as 'papakāinga zones')	Makes housing on Māori land an average \$10,000 cheaper for each house. Provides certainty to those who wish to develop houses that fall within the permitted numbers and other standards	Developments of an intensity greater than that intended by the zone would still have to go through a resource consent process. All Māori land would have to be included in the zones. This is uncommon and not very flexible where land is returned to Māori after zoning has been decided.
Not zoning for housing on Māori land, but general provisions included in current zones and/or approval on the basis of land management plans	Greater flexibility in designing the development (especially its intensity), and possibly better resource management outcomes from the development plans.	Some increased cost because of compulsory land management plan. Whether this is a disadvantage depends on who bears the cost and what assistance is available. The plan may or may not have been required for the development anyway.

The performance audit confirmed that rates arrears, and the rating of Māori land more generally (although beyond the scope of the review), was a barrier to the development of housing on Māori land.

¹⁷⁶ Controller and Auditor-General, 'Government planning and support for housing on Māori land', 2011, p. 66

¹⁷⁷ Controller and Auditor-General, 'Government planning and support for housing on Māori land', p. 67

¹⁷⁸ Controller and Auditor-General, 'Government planning and support for housing on Māori land', p. 69

Whānau were concerned that owning a house on Māori land would expose them to being held responsible by local authorities for any rates arrears on the whole land block. All local authorities visited by the Office had rates remission policies whereby, if requested, they would remove or reduce any rates arrears on the block of land the house was on and only charge future rates on that block.¹⁷⁹

The local authorities audited by the Office of the Auditor-General had also ‘tied specific development contribution charges to specific infrastructure needs’, with exemptions for developments that would not be connected to infrastructure. The Office of Auditor-General suggested that local authorities make more information available about how development contribution charges were set, and what they were used for.¹⁸⁰ In addition, a critical success factor identified was local authorities providing support and making expertise available to Māori landowners wanting to develop housing on their land. The third recommendation from the performance audit was:

That local authorities identify and work with landowners who have particularly suitable land blocks and who want to build housing on Māori land.¹⁸¹

In 2012, the Associate Minister for Housing, Tariana Turia, attended the second National Māori Housing Conference and spoke about the Government’s workplan in response to the 2011 report from the Office of the Auditor-General. This included better co-ordination of government agencies to create a single point of contact for Māori, working with local authorities so that housing on Māori land was allowed for in district plans, and finding better ways to fund Māori housing programmes.¹⁸² She also spoke about lifting the challenges imposed on Māori in the past by a lack of government understanding of the diversity of aspirations Māori have and by the Crown’s separation of health from the environment and housing. Turia added:

If we are truly to return to our origins, and the roots of our ancestors, we need to slowly regenerate. We need to take the time to consider what housing really means for our whanau, for the wellbeing of our whenua and hapū, and how we will all work together to make this a reality. We are the people of the land – the tangata whenua, and we have responsibilities to that land, to our awa, to our marae, and to our people.¹⁸³

In its 2014 progress report, the Office of the Auditor-General showcased Auckland Council’s engagement with iwi authorities and Te Matapihi (see below) in the development of its Proposed

¹⁷⁹ Controller and Auditor-General, ‘Government planning and support for housing on Māori land’, p. 70

¹⁸⁰ Controller and Auditor-General, ‘Government planning and support for housing on Māori land’, p. 71

¹⁸¹ Controller and Auditor-General, ‘Government planning and support for housing on Māori land’, p. 75

¹⁸² Tariana Turia, ‘2012 National Māori Housing Conference’, New Zealand Government, 27 March 2012 www.beehive.govt.nz/speech/2012-national-maori-housing-conference (accessed 25 January 2023)

¹⁸³ Tariana Turia, ‘2012 National Māori Housing Conference’

Auckland Unitary Plan as an example of how local authorities could address the 2011 recommendations:

The [Auckland] Council worked closely with iwi authorities on the Proposed Auckland Unitary Plan to ensure that it understood the needs and values of Māori wishing to build on Māori land and land restored as a result of a Treaty settlement.¹⁸⁴

The Office of the Auditor-General summarised how access to funding had been crucial to supporting Māori whānau and rūpū in planning and progressing their aspirations for building housing on their land (see Table 6.3 below).¹⁸⁵ They also identified critical success factors for Crown agencies, including ensuring that funding was realistic, able to be used to build the capacity of Māori trusts, able to be tailored to fit Māori landowners' circumstances, supportive of a variety of tenure options, and available when costs, particularly up-front costs, were incurred.¹⁸⁶

Table 6.3: The effect of funding programmes on those who want to use Māori land for housing identified in the Auditor-General's 2011 report
Controller and Auditor-General, 'Government planning and support for housing on Māori land', p. 100, Figure 41.

An individual or whānau who has shares in Māori land and wants to build or move a single house onto part of the land block	A small ahu whenua trust that plans to build a small number of houses on its land	A larger Māori trust or iwi governance organisation with plans to build housing for its beneficiaries
<p>The whānau can apply for a Kāinga Whenua loan, but a one- or two-earner household whose income is over \$85,000 will not be eligible and will struggle to get finance.</p> <p>Any whānau who have a poor credit history will not be able to get a Kāinga Whenua loan.</p> <p>Whānau can get some support with their application and guidance through the process from the local HNZC project manager.</p>	<p>The trust will struggle to access finance from the MDP fund, because of a lack of skills and experience in housing.</p> <p>The project could continue with funding by each household taking an individual Kāinga Whenua loan. This would be time-consuming and, because each of the loans will come at different times, will not realise potential economies of scale.</p>	<p>The organisation will be well placed to meet MDP fund criteria. There will be audited accounts, and the organisation will be able to buy professional skills and support.</p> <p>The cost of these houses is likely to be cheaper (for each house) because of economies of scale. We estimate that the average economy of scale between a small (two to four houses) development and a large (20 houses) development was \$6,737 for each unit, with a range of \$3,828-\$11,681.</p>

¹⁸⁴ Controller and Auditor-General, 'Government planning and support for housing on Māori land. Progress in responding to the Auditor-General's recommendations', p. 8

¹⁸⁵ Controller and Auditor-General, 'Government planning and support for housing on Māori land', p. 100

¹⁸⁶ Controller and Auditor-General, 'Government planning and support for housing on Māori land', pp.100-101

Productivity Commission inquiry, 2012

In March 2012, the New Zealand Productivity Commission reported on its inquiry into housing affordability. The Ministers of the Crown who had requested the inquiry in 2011 were the Minister of Finance, the Minister for the Environment, the Minister of Housing, the Minister for Building and Construction, and the Minister for Regulatory Reform. The scope of the inquiry included an evaluation of the factors influencing housing affordability (rental and owner-occupied) and the examination of potential opportunities to increase housing affordability.¹⁸⁷ The context for the inquiry was ‘the recognition that stability of the home environment is important for social cohesion and family stability’. The aim of the inquiry report was ‘to suggest policy improvements that could enhance the performance of the housing market and the effectiveness with which it meets the needs of New Zealanders’.¹⁸⁸

Māori housing needs were a focus area of the inquiry, with the inquiry taking a broad approach to documenting both the meaning of housing for Māori and the housing affordability solutions proposed by Māori involved in the inquiry. The inquiry report acknowledged both the burden of housing disparities shouldered by Māori and the importance of housing for cultural retention as it enabled people to build and maintain their connectivity to place and community.¹⁸⁹ A lack of affordable housing in rural communities was seen as fuelling population loss and potentially ‘irreversible culture loss for many whānau’. For some whānau, the state of repair of their rural housing was their housing affordability issue rather than rent or a mortgage.¹⁹⁰ The submission from the Salvation Army highlighted the extent of this problem:

There are no reliable estimates of the extent of the rural Māori housing problem although a preliminary report undertaken for Department of Building and Housing suggested that there were as many as 9,600 rural houses in poor condition and in need of repair or replacement.

Three quarters of these houses were said to be in Northland.¹⁹¹

The Productivity Commission recommended a microfinancing lending approach to addressing housing quality.¹⁹²

Māori land was recognised in the inquiry as potentially providing more affordable housing options with a proviso in the report that this would only be the case when the land was close to job opportunities.¹⁹³ Although not explicitly mentioned in this report, the Ministry of Social Development’s Remote Area

¹⁸⁷ New Zealand Productivity Commission, *Housing Affordability Inquiry*, p. iv

¹⁸⁸ New Zealand Productivity Commission, *Housing Affordability Inquiry*, p. 1

¹⁸⁹ New Zealand Productivity Commission, *Housing Affordability Inquiry*, p. 239

¹⁹⁰ New Zealand Productivity Commission, *Housing Affordability Inquiry*, p. 243

¹⁹¹ New Zealand Productivity Commission, *Housing Affordability Inquiry*, p. 243

¹⁹² New Zealand Productivity Commission, *Housing Affordability Inquiry*, p. 250

¹⁹³ New Zealand Productivity Commission, *Housing Affordability Inquiry*, p. 243

Policy may also have made a difference for Māori. Formalised in 1982, the policy made provision for the refusal or cancellation of an unemployment benefit ‘when a person has deliberately and without good reason moved to a locality where there is no work available’.¹⁹⁴ According to the Productivity Commission:

For many Māori communities, housing is valued more for keeping whānau connected to land, tradition, tūpuna, and their whanaunga, than as a financial investment. It is “about building communities, rather than building houses.” This is not to say that Māori are never interested in housing for financial reasons. Housing solutions for Māori will sometimes need to be different, particularly in areas of traditional settlement.¹⁹⁵

Māori who participated in the inquiry were described as almost universally endorsing community-based approaches that would enable whānau to meet a range of social and economic challenges, including housing. This quest for greater control was evident in Rueben Taipari Porter’s submission to the Commission:

Perhaps the greatest grievance we have is that govt depts are stymied in their ability to understand that we have innovative alternatives to solve our housing problems inside a Māori paradigm ... Govt depts also continue to try to solve our problems, using their methods of solutions. This proves difficult as they don’t understand that our issues are more complex than just needing more money to have a successful outcome.¹⁹⁶

The Productivity Commission chose not to re-litigate the well-documented challenges to building houses on Māori land. Rather, it focused on why responses to these challenges had been largely ineffective. They identified that action was required from three broad groups to resolve the issues: local level public services (including local authorities and local Te Puni Kōkiri and Māori Land Court offices), Māori land shareholders, and private finance institutions.¹⁹⁷ The risk-averse nature of the banking industry was noted by the Commission, with Kiwibank and Westpac the only national institutions that offered Welcome Home Loans in 2014. These loans (named Welcome Home Loans in 2005 and rebranded First Home Loans in 2019) were ‘intended to help first home buyers on modest incomes but with a low deposit to access home ownership and its benefits, by insuring the buyer’s

¹⁹⁴ Alex McKenzie, *Social Assistance Chronology 1844–2022*, Wellington: Ministry of Social Development, 2022, p. 154

¹⁹⁵ New Zealand Productivity Commission, *Housing Affordability Inquiry*, p. 238

¹⁹⁶ New Zealand Productivity Commission, *Housing Affordability Inquiry*, p. 247

¹⁹⁷ New Zealand Productivity Commission, *Housing Affordability Inquiry*, pp. 253–254

mortgage for the lender'.¹⁹⁸ As there was interest among banks spoken to by the Commission, they recommended that

Te Puni Kōkiri, working with the Māori Land Court and private finance institutions, develop options to adapt existing lending policies and precedents for private finance institutions to lend for building homes on Māori land.¹⁹⁹

Other models of overcoming financial challenges were explored briefly by the Productivity Commission to 'stimulate ongoing discussion'. These options were the guaranteeing of loans by trusts or by a mutual insurance scheme for buyers, or by buyers purchasing an 'option' for future home ownership. The Commission also examined two ways of managing housing on Māori land: licences to occupy and unit titles (noting that upfront infrastructure costs still presented a potential barrier to development). Licences to Occupy were seen as a way for younger households to afford home ownership, if they were able to access housing finance. The financial pressures on a trust created by Licences to Occupy could be removed by a unit title approach, whereby 'individuals own their dwellings but everyone owns the land they sit on' (like, for example, apartment buildings). Unit titles were also seen by the Productivity Commission as a potential way to facilitate affordable housing on Māori land.²⁰⁰

In relation to local level public services, the Commission suggested that challenges should be addressed through centrally held housing capability that whānau could access. This was similar to the Office of the Auditor-General's 2011 recommendation of a one-stop shop, and the Commission suggested that this specialist housing team be based within the Whānau Ora commissioning agency (as had been originally proposed by Māori architect and housing specialist, Rau Hoskings). Whānau Ora was also suggested by the Commission as taking a lead in supporting Māori to aspire to, plan for and gain permission from shareholders to build on their land, including supporting the establishment of an appropriate trust structure when this was absent.²⁰¹ The recommendations from the Commission were:

R13.3 A team of Māori housing expert advisors, housed in a national agency like Te Puni Kōkiri or the proposed Whānau Ora commissioning agency, be made available to Māori land owners with aspirations to build housing on their whenua.²⁰²

¹⁹⁸ Te Tūāpapa Kura Kāinga, 'Evidential fact sheet - First home loan', Wellington: Te Tūāpapa Kura Kāinga – Ministry of Housing and Urban Development, 2021, p. 1

¹⁹⁹ New Zealand Productivity Commission, *Housing Affordability Inquiry*, p. 259

²⁰⁰ New Zealand Productivity Commission, *Housing Affordability Inquiry*, p. 260, pp. 263-264

²⁰¹ New Zealand Productivity Commission, *Housing Affordability Inquiry*, pp. 255-257

²⁰² New Zealand Productivity Commission, *Housing Affordability Inquiry*, p. 256

R13.4 Whānau Ora facilitators be trained to educate whānau about the options for management structures for their Māori land, and to play a role in developing plans for the use of Māori land for housing (where this is what the whānau wants).²⁰³

The Crown's Whānau Ora initiative was seen by the Productivity Commission as compatible with the feedback it received from Māori during the inquiry, as Whānau Ora was about supporting whānau to plan their own futures and access the assistance they needed to achieve their aspirations.²⁰⁴ In essence, the Productivity Commission was 'persuaded' that funding and resources for housing solutions needed to be provided to Māori organisations that were accountable to their local communities. The Commission's report noted: 'The social and cultural resources that whānau and communities can bring to bear are essential for resolving the housing and other social issues they face'.²⁰⁵

Te Matapihi he Tirohanga mō te iwi Trust (Te Matapihi), 2010–present

As described above, Te Matapihi was formed at the 2010 inaugural National Māori Housing conference²⁰⁶ to be an 'independent national peak body for Māori housing'.²⁰⁷ The Social Housing Fund started funding Te Matapihi in 2012, and by 2014 Te Matapihi had organised several hui around the country. These hui provided opportunities for iwi, government agencies, and non-government agencies to convene, to share information about initiatives, services and products, and to discuss housing reforms. As noted above, Te Matapihi has also been involved in the establishment of the Tāmaki Māori Housing Forum and Joint Agency Group, and in the development of the Auckland Proposed Unitary Plan.²⁰⁸ As noted by Controller and Auditor-General in 2014:

Te Matapihi prepares strategies, resources, and processes that can inform its own and others' roles in Māori housing advocacy with central and local government. Te Matapihi focuses on affordability of housing for Māori, capability needs for Māori, and improving relationships between agencies and stakeholders.²⁰⁹

²⁰³ New Zealand Productivity Commission, *Housing Affordability Inquiry*, p. 258

²⁰⁴ New Zealand Productivity Commission, *Housing Affordability Inquiry*, p. 239

²⁰⁵ New Zealand Productivity Commission, *Housing Affordability Inquiry*, p. 246

²⁰⁶ Controller and Auditor-General, 'Government planning and support for housing on Māori land. Progress in responding to the Auditor-General's recommendations', p. 7; Maurice Williamson, 'Address to National Māori Housing Conference', 23 March 2010, www.beehive.govt.nz/speech/address-national-māori-housing-conference (accessed 13 January 2023)

²⁰⁷ Te Matapihi, *Mō Mātou*, 2023, <https://www.tematapihi.org.nz/who-we-are> (16 March 2023)

²⁰⁸ Controller and Auditor-General, 'Government planning and support for housing on Māori land. Progress in responding to the Auditor-General's recommendations', p. 7. Community Housing Aotearoa also received funding from the Social Housing Fund for similar activities in its sector.

²⁰⁹ Controller and Auditor-General, 'Government planning and support for housing on Māori land. Progress in responding to the Auditor-General's recommendations', p. 7

In 2017, Te Matapihi wrote a briefing for the incoming Crown Ministers for Housing and Urban Development and Māori Development. They stated that the purpose of the briefing was to introduce Te Matapihi as ‘an independent voice for Māori to advance better Māori housing outcomes’.²¹⁰ They also outlined five issues that would significantly impact Māori housing outcomes:

1. Ongoing commitment to implementation, monitoring and evaluation of He Whare Āhuru He Oranga Tangata – the Māori Housing Strategy, development of 2018-2020 priority actions, and continuation of the strategy beyond 2025.
2. Appointment of a Minister for Māori Housing or Māori Associate Minister for Housing and Urban Development.
3. Continuing and increasing the current appropriations for Māori housing currently administered by the Māori Housing Network – Te Puni Kōkiri.
4. Revitalisation of the Māori Housing Act 1935.
5. Establishment of a Māori Housing Statutory Unit to operate as a landing place for all current and future investments for Māori housing outcomes (and administering in a coordinated manner), lead strategic implementation of He Whare Āhuru, He Oranga Tangata – The Māori Housing Strategy, and develop Māori housing policy.²¹¹

The work programme of Te Matapihi has included involvement in the review of *He Whare Āhuru* and the development of the MAIHI Whare Wānanga plan.²¹² They have also built relationships with key government agencies,

We are now uniquely positioned to engage with the government and Māori, and for more than a decade, we have successfully built relationships across the Māori housing sector, brokered solutions with the government, and developed an acute awareness of the critical interventions urgently needed to address the Māori housing crisis.²¹³

At the beginning of 2021, Te Matapihi wrote a second Ministerial briefing for the incoming Ministers of Housing and Māori Development. In this briefing, they described how Covid-19 had exacerbated the Māori housing crisis in the absence of the Crown upholding its Treaty obligations as well as people’s

²¹⁰ Te Matapihi, ‘2017 Briefing to the Incoming Minister (BIM)’, Te Matapihi, 2007, www.tematapihi.org.nz/reporting-publications/2017-briefing, (accessed 25 January 2023)

²¹¹ Te Matapihi, ‘2017 Briefing to the Incoming Minister (BIM)’, Te Matapihi, 2007, www.tematapihi.org.nz/reporting-publications/2017-briefing (accessed 25 January 2023)

²¹² Te Matapihi, ‘Our work programme’, Te Matapihi, 2023, www.tematapihi.org.nz/work-programme-tm (accessed 25 January 2023)

²¹³ Te Matapihi, ‘Our background’, Te Matapihi, 2023, www.tematapihi.org.nz/who-we-are (accessed 25 January 2023)

human right to adequate (affordable, culturally appropriate) housing.²¹⁴ Te Matapihi stressed that the solutions to the Māori housing crisis needed to be designed and led by Māori:

Māori have presented solutions to the housing crisis, and... as a Treaty partner with the Crown are prepared for immediate implementation. To enable an uplift in such solutions and a well-founded partnership to address housing needs, not seen within Aotearoa on this scale for the past 25 years, there is a simple solution - **significant co-investment by the Crown in Māori-led housing solutions and the redeployment of allocated funds for Māori from Crown agencies to Māori providers** [emphasis in original].²¹⁵

Building Better Homes, Towns and Cities National Science Challenge, 2016–present

In May 2016 the Building Better Homes, Towns and Cities (BBHTC) National Science Challenge was launched, with funding from the Ministry of Business Innovation and Employment. Hosted by BRANZ, the Challenge funds investigator-initiated housing research

The mission of the Building Better Homes, Towns and Cities (BBHTC) National Science Challenge is to help transform dwellings and places where people live into homes and communities that are hospitable, productive, and protective. Our vision is to create built environments that build communities. To create homes, neighbourhoods, towns, and cities that enrich people's lives, allowing them to reach their social, cultural, and economic potential.²¹⁶

A key output from the first tranche of funding was the 2022 *Kāinga Tahi, Kāinga Rua* volume that contains chapters about papakāinga and building on Māori land.²¹⁷

United Nations' Special Rapporteur, 2020

One of the first housing-related initiatives of the sixth Labour Government was to contract a team of housing specialists – Alan Johnson, Philippa Howden-Chapman and Shamubeel Eaqub – to undertake a stocktake of New Zealand's housing. The report included discussion of housing insecurity for Māori, crowding and Māori whānau, and the health impacts of poor housing quality. While the authors noted the challenges Māori faced fulfilling their aspirations to build on their land, they did not critique the

²¹⁴ Te Matapihi, 'Briefing to the Incoming Ministers of Housing and Māori Development', Te Matapihi, 2021, p. 3

²¹⁵ Te Matapihi, 'Briefing to the Incoming Ministers of Housing and Māori Development', p. 4

²¹⁶ Building Better Homes, Towns and Cities National Science Challenge, 'About Us', 2023, *Building Better Homes, Towns and Cities National Science Challenge*, https://www.buildingbetter.nz/about_us/about (accessed 16 March 2023)

²¹⁷ Fiona Cram, Jessica Hutchings and Jo Smith (eds), *Kāinga tahi kāinga rua - Māori housing realities and aspirations*, Wellington: Bridget Williams Books, 2022

housing support available to Māori.²¹⁸ The authors commented on the now well-recognised barriers facing Māori who wanted to build on their own land:

Māori landowners have a range of spiritual, cultural and economic aspirations for their whenua including housing. Despite the apparent availability of land owned by Māori, there are challenges related to achieving the right to build on multiply-owned land, the provision of infrastructure, access to finance, and central and local planning rules.²¹⁹

The Government then invited Leilani Farha, the United Nations' Special Rapporteur on adequate housing to visit Aotearoa in February 2020. New Zealand is a signatory to the International Covenant on Economic, Social and Cultural Rights, which includes the right to adequate housing (article 11). This is the right to live somewhere in security, dignity, and peace, through the provision of housing that is affordable, accessible, habitable, culturally adequate, secure, and located near services.²²⁰ In her analysis of our housing system and the crisis of increasing homelessness, escalating rents, and poor-quality housing, Farha described Aotearoa as having lost notions of housing as a place to live – a 'home'. Instead, housing was increasingly viewed as a speculative asset in a context of weak tenant protections, low interest rates and the gutting of social housing.²²¹ Compared to the affordable house builds of the 1960s and 1970s, Farha found that by 2014 the construction industry had moved to building housing for the upper end of the market. The summary of her report outlines Farha's concern that New Zealand 'has not yet enshrined the right to housing in its legal order in a manner that allows individuals to seek effective remedies for violations of this right through administrative, non-judicial and judicial mechanisms'.²²²

With regards to Māori housing, Farha emphasised that the right to adequate housing must be understood within the context of the rights and responsibilities set out in Te Tiriti o Waitangi, 'the founding constitutional document of the State of New Zealand'.²²³ She acknowledged that Māori bore the brunt of housing inequalities, with the separation of Māori from their ancestral lands described as 'a dark

²¹⁸ Alan Johnson, Philippa Howden-Chapman, and Shamubeel Eaqub, 'A stocktake of New Zealand's housing', MBIE, 2018, p. 5

²¹⁹ Johnson, Howden-Chapman, and Eaqub, 'A stocktake of New Zealand's housing', p. 5

²²⁰ Leilani Farha, 'Visit to New Zealand: Report of the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living and on the right to non-discrimination in this context', United Nations, 2021, p. 4

²²¹ Eva Corlett, 'UN special rapporteur calls on NZ for bold human-rights approach to housing crisis', 19 February 2020, www.rnz.co.nz/news/national/409900/un-special-rapporteur-calls-on-nz-for-bold-human-rights-approach-to-housing-crisis (accessed 8 December 2022)

²²² Farha, 'Visit to New Zealand', p. 1

²²³ Farha, 'Visit to New Zealand', p. 5

shadow that hangs over the country’.²²⁴ Farha criticised the 2014 Māori housing strategy, *He Whare Āhuru He Oranga Tāngata*, for falling short of articulating the broader spectrum of elements needed in a human rights-based housing strategy for indigenous peoples. It did not refer to, for example, ‘the concepts of self-determination and free, prior and informed consent, or state that Maori housing programmes should be administered as far as possible through their own institutions’.²²⁵ She recommended that the government address historic injustices and ongoing discrimination against Māori.²²⁶

Te Tai Tokerau housing research

In 2019, Te Puni Kōkiri, the Ministry of Social Development, and Housing New Zealand commissioned a series of research reports about the status of Māori housing in Te Tai Tokerau. These provided insights into how Crown housing policy and legislation has impacted on Māori in the area and are briefly summarised here. The research painted a picture of housing quality and affordability in Te Tai Tokerau, but was not specifically focused on building on Māori land.

In their research report, ‘Housing and wellbeing for Māori in Te Tai Tokerau - A look at the numbers’, economists Ganesh Nana, Hugh Dixon, Sam Green, and Merewyn Groom identified 40,500 people of Māori ethnicity who were usually resident in Te Tai Tokerau and linked them to information, including housing data, contained about them in the Integrated Data Infrastructure. Seven housing groups (owner, renter, no heating, no telecommunications, overcrowded, severely overcrowded, and no fixed abode) were then examined.²²⁷ Those living in owner-occupied dwellings had the only annual net fiscal benefit, of \$1,560 per individual (calculated as tax paid less welfare payments (except pension income), hospitalisations and corrections forms). Those living in severely overcrowded dwellings had the highest annual net fiscal cost of \$6,060 per individual.²²⁸

Demographer Natalie Jackson examined housing tenure patterns by age group and ‘mover status’ (migration between 2001–2013 census periods) for five iwi (Te Aupōuri, Ngāti Kahu, Ngāpuhi, Te Rarawa, and Ngāti Whātua) in Te Tai Tokerau. While all iwi populations increased between 2001 to 2013, all had a higher proportion of ‘Stayers’ than ‘Arrivals’ at each of the three censuses. Across the

²²⁴ Sam Sachdeva, ““Unbridled” NZ housing speculation attacked by UN representative’, 23 June 2021, www.newsroom.co.nz/unbridled-nz-housing-speculation-attacked-by-un-representative (accessed 8 December 2022); Farha, ‘Visit to New Zealand’, p. 5, p. 9

²²⁵ Farha, ‘Visit to New Zealand’, p. 15

²²⁶ Farha, ‘Visit to New Zealand’, p. 2

²²⁷ Ganesh Nana, Hugh Dixon, Sam Green, and Merewyn Groom, ‘Housing and wellbeing for Māori in Te Tai Tokerau - A look at the numbers’, Wellington: Business & Economic Research Ltd, 2019, p. 1

²²⁸ Nana, Dixon, Green, and Groom, ‘Housing and wellbeing for Māori in Te Tai Tokerau - A look at the numbers’, p. 3

census periods examined (2001 to 2013), home ownership rates declined, with the least decline in the Far North District and the greatest decline in the Kaipara District. Jackson also found that older Māori (aged 65+ years) had the highest levels of home ownership and the lowest levels of renting.²²⁹

Housing researchers Bev James and Kay Saville-Smith's report detailed Māori housing need, stock, and regional population change in Te Tai Tokerau. In the rohe of Te Hiku, home to 3,450 Māori households in 2013, the cost of lower quartile rent rose from 87 per cent of the median household income in 2001 to 101 per cent in 2013; that is, rents increased at a faster rate than household income. Consequently, more than half of the Māori households (55 per cent) that rented were in 'housing stress' in 2013, as their housing costs were more than 30 per cent of their household income. Only a small proportion of Māori renters (5 per cent) could affordably enter into home ownership in 2013. Three in every four (75 per cent) Māori households could be described as in housing need (for example financially stressed, living in social or emergency housing, homeless, or living in a crowded household) in 2013, compared with 43 per cent of all households across Te Hiku.²³⁰ In its 'Implications for Action' section, the report noted:

The prevalence and fiscal cost of overcrowding, combined with the poor condition of many rural dwellings in Te Tai Tokerau suggests that immediate action is required to:

- Upgrade the housing stock; and
- Reduce over-crowding through increasing the supply of affordable, right-sized housing.²³¹

In the fourth report, Kay Saville-Smith, Nick Brunsdon, and Vicki White sought to establish the condition of Māori housing stock: housing that was cold and/or damp because they were poorly insulated, poorly heated, or badly oriented, and housing that was dilapidated or in a state of significant disrepair. However, their efforts were thwarted by a paucity of data about Māori housing in Tai Tokerau and the researchers had to resort to findings from a survey of rural housing in the region undertaken in 2006. This data was reanalysed to estimate that 19.7 per cent of whānau were living in housing stock that was in poor or serious condition (compared to 2.7 per cent of national stock in 2004/05). The

²²⁹ Natalie Jackson, 'Demographics of iwi in Te Tai Tokerau. Report commissioned by Te Puni Kōkiri, The Ministry for Social Development and Housing NZ', 2019, p. 6

²³⁰ Bev James and Kay Saville-Smith, 'Māori housing need, stock, and regional population change in Te Tai Tokerau: Research needs, landscape and future proofing. Report prepared for Te Puni Kōkiri, Ministry of Social Development and Housing New Zealand', 2019, p. 2

²³¹ James and Saville-Smith, 'Māori housing need, stock, and regional population change in Te Tai Tokerau', p. 6

reanalysis also looked at providing some indication of the costs of restoring all houses in poor and serious condition to ‘as new’ condition, with this being around \$205 million in total.²³²

In summary, the information made available to the Crown, often at its request, highlighted Māori housing disparities, brought to the fore the meaning of land, housing and home for Māori, and led to more Māori input into the Crown’s strategic direction for supporting housing on Māori land. The 2011 performance audit by the Office of the Auditor-General was the first inquiry of its type into government support for and funding of housing on Māori land. Many of its findings and recommendations were then reiterated in the Productivity Commission’s 2012 report on Māori housing affordability. While these reports provided the impetus for the development of the 2014 Māori Housing Strategy, *He Whare Āhuru He Oranga Tāngata*, the funding provided for the strategy’s implementation gave an early signal that Māori housing was a low priority for the Crown. The Māori Housing Network, as a one-stop portal for Māori housing advice and support, meant that Te Puni Kōkiri was a vital implementer of the strategy, working alongside the Ministry for Business Innovation and Employment (MBIE) which oversaw the cross-government implementation. The consultations that began in 2012 about the amendment of Te Ture Whenua Māori Act 1993 provided insight, as have the Office of the Auditor-General and the Productivity Commission, into the meaning of land for Māori. The 2021 amendment of the Act removed some of the barriers encountered by Māori in their attempts to build on their own land. More recently the latest Māori housing framework, MAIHI, and its accompanying strategy have provided avenues for fuller Māori involvement in housing decision-making. The advocacy of Te Matapihi, and of the National Iwi Chairs Forum, has been central to the efforts of Te Tūāpapa Kura Kāinga – Ministry of Housing and Urban Development to deliver for Māori. This delivery has been supported by increased budgetary allocations for housing on Māori land.

6.5. What kind of housing assistance programmes were available for building houses on Māori land?

This section describes two prime sources of funding for housing on Māori land managed by HNZN/Kāinga Ora, namely, the Māori Demonstration Partnership Fund and the Kāinga Whenua Loan Scheme. This section also examines the Pūtea Māori fund along with housing support provided initially by MBIE and Te Puni Kōkiri, and then by TPK and the Māori Housing Network from 2015. Table 6.4 summarises the housing assistance programmes for Māori between 2008–2021.

²³² Kay Saville-Smith, Nick Brunsdon and Vicki White, ‘Māori housing need, stock, and regional population change in Te Tai Tokerau. Dwelling Condition Te Tai Tokerau Component 4’, Report prepared for Te Puni Kōkiri, Ministry of Social Development and Housing New Zealand, 2018

Table 6.4: Overview of Māori housing assistance programmes, 2008-2021

Programme	Duration	Description	Results and resourcing
Special Housing Action Zones (HNZC, TPK)	2000–	Originally a joint programme between HNZC and TPK to support Māori community and organisational housing initiatives, with TPK responsible for strengthening capacity and HNZC providing capital funding. The capital funding could be used for a variety of purposes, including professional services (e.g., architect services) and home maintenance. Targets the resolution of serious housing need within Māori communities living in designated Special Housing Action Zones. ²³³ Included in the Māori Housing Fund in 2015.	2010/11: \$456,000/year, results included two of the successful 2010/11 Māori Demonstration Partnership fund projects Supported Māori who would have otherwise not have achieved their housing aspirations. ²³⁴ 2015: \$1.9 million
Rural Housing Programme (HNZC and contracted (often Māori) providers)	2001–2011	Loans and grants to upgrade, renovate and replace housing in rural Northland, Bay of Plenty and East Coast; increase supply of affordable housing; help communities manage their own housing needs. Much of the focus was on supporting Māori communities to find solutions to problems of poor housing on multiple-owned Māori land. ²³⁵	2001/02-2010/11: \$139.5 million; 2900 houses repaired. Reviewed as not providing value for money as improvements not sustainable and wound down.
Māori Demonstration Partnership fund (HNZC)	2008–	Contestable grants and low-cost loans to Māori organisations to support development of housing on multiple-owned land. Funding available for almost all costs, including infrastructure and building. Māori organisations contribute 50 per cent of equity. Initially included capacity funding to pay for technical services. In 2011, it was part of Housing Innovation Fund managed by HNZC.	2008–2011: \$5 million per year; funding granted for 15 houses, 28 kaumātua houses, large communal building.

²³³ Controller and Auditor-General, 'Government planning and support for housing on Māori land. Progress in responding to the Auditor-General's recommendations', p. 11

²³⁴ Controller and Auditor-General, 'Government planning and support for housing on Māori land', p. 30

²³⁵ Controller and Auditor-General, 'Government planning and support for housing on Māori land', p. 30

Programme	Duration	Description	Results and resourcing
Kāinga Whenua (HNZC Kāinga Ora and Kiwibank)	2010–present	Home loans from Kiwibank to build on multiple-owned land, with HNZC providing security for loans. Some of loan available for infrastructure. First home buyers, household income limits apply.	2010–2022: 70 loans issued HNZC implementation costs in 2011 had been \$100,000 plus staff time. Kiwibank costs not available.
Social Housing Unit (MBIE, TPK from 2015)	2010–2015	In 2010, the National Government transferred social housing funding to the Social Housing Unit. Managed Pūtea Māori, Kāinga Whenua Project Capability, Kāinga Whenua Infrastructure Grant, until 2015 when transferred to Māori Housing Network, TPK	
Pūtea Māori (MBIE - Social Housing Fund; TPK from 2015)	2012–present	A capital grant for social, affordable, and assisted home ownership housing, principally on Māori land. Grants in 2011/12 were made from the Māori and Rural Funds. Included in the Māori Housing Fund in 2015, Te Puni Kōkiri.	<ul style="list-style-type: none"> • \$4.2 million in 2011/12 • \$13.8 million in 2012–15 18 grants, for 103 dwellings ²³⁶ By 2015, 131 houses built by iwi and Māori housing organisations, with funding of \$12,751,311.
Kāinga Whenua Project Capability (MBIE, TPK from 2015)	2012–2015	Initially part of the Proposal Development Fund, to help with project development costs (with \$500,000 specifically for Pūtea Māori applicants). Pūtea Māori component separated and renamed Kāinga Whenua in December 2013, to re-align it with the Kāinga Whenua Loans. Criteria also extended to strengthening capacity to manage housing projects. ²³⁷ Included in the Māori Housing Fund in 2015, Te Puni Kōkiri.	\$500,000 per year. 2011–2014, \$1.44 million distributed to support 12 Māori organisations or collectives prepare their plans. ²³⁸
Kāinga Whenua Infrastructure Grant (MBIE, TPK from 2015)	2013–present	Grants cover the cost of infrastructure needed to connect developments on Māori land to existing infrastructure. ²³⁹ Managed by the Māori Housing Network from 2015, Te Puni Kōkiri.	\$3 million a year for 2013–15 2014: 19 grants, totalling \$3.45 million, supporting 83 houses. 2015: \$2.8 million.

²³⁶ Controller and Auditor-General, 'Government planning and support for housing on Māori land. Progress in responding to the Auditor-General's recommendations', p. 11

²³⁷ Controller and Auditor-General, 'Government planning and support for housing on Māori land. Progress in responding to the Auditor-General's recommendations', p. 12

²³⁸ Controller and Auditor-General, 'Government planning and support for housing on Māori land. Progress in responding to the Auditor-General's recommendations', p. 11

²³⁹ Controller and Auditor-General, 'Government planning and support for housing on Māori land. Progress in responding to the Auditor-General's recommendations', p. 12

Programme	Duration	Description	Results and resourcing
Māori Housing Fund (MBIE, TPK from 2015)	2014–present	Supports repair and rebuilding of rural housing, improvement of housing on Chatham Island, and development of Māori social housing providers. Managed by the Māori Housing Network from 2015, Te Puni Kōkiri, with a focus on new housing on Māori land. ²⁴⁰	\$16 million over four years from 1 July 2014.
Whānau Housing Response Fund (TPK from 2015)	2015–	Supports community housing repair programmes, and emergency housing pilots for whānau. ²⁴¹	2015: \$3.3 million.
Whānau Housing Support Fund (TPK from 2015)	2015–	To enable whānau and Māori organisations to purchase specialist technical and practical advice to advance their housing aspirations. ²⁴²	2015: \$2.4 million.
Te Ara Mauwhare (TPK and Housing NZ; Maori Housing Network from 2015)	2018–2022	Approved initially for three years in Budget 2017 to address the low rate of home ownership among whānau Māori. Te Ara Mauwhare co-invested with iwi and Māori organisations to trial Progressive Home Ownership models to support very low- to median-income whānau into home ownership. Whānau participate in Sorted Kāinga Ora, which was developed by Te Puni Kōkiri and Te Ara Ahunga Ora (formerly the Commission for Financial Capability)	2018: \$9 million over three years to June 2020 (later extended to 30 June 2022). ²⁴³ Summative evaluation stated an expectation that 68 to 73 homes would be completed during 2022. ²⁴⁴ TPK confirmed 69 homes contracted, 21 completed, remainder due for completion December 2023. ²⁴⁵
Whānau-centred community development project funding (TPK)	2018	Six community development projects funded that included a mix of capability building, whānau house repairs, social housing development, kaumātua units, infrastructure repair, papakāinga, and other housing. Fund managed by the Māori Housing Network.	2018: \$15 million. 2020: - 210/212 housing assessments - 107/174 housing repairs - 9/26 new builds completed - 20/24 home maintenance workshops - 7/7 Sorted Kāinga Ora

²⁴⁰ Te Puni Kōkiri, 'Māori Housing Network - Our process, our funds', Te Puni Kōkiri, 2016, p. 2

²⁴¹ Te Puni Kōkiri, 'Māori Housing Network - Our process, our funds', p. 2

²⁴² Te Puni Kōkiri, 'Māori Housing Network - Our process, our funds', p. 2

²⁴³ 'Budget 2017: \$27m for marae and Māori housing', 8 May 2017, www.beehive.govt.nz/release/budget-2017-27m-marae-and-m%C4%81ori-housing (accessed 8 December 2022); R & K Consultants Limited for Te Puni Kōkiri, 'Te Ara Mauwhare Pathways to Home Ownership Trials Summative Evaluation, June 2021, p. 10

²⁴⁴ R & K Consultants, 'Te Ara Mauwhare - Pathways to Home Ownership Trials', p. 6

²⁴⁵ Te Puni Kōkiri, Personal Communication, 23 February 2023

Programme	Duration	Description	Results and resourcing
Whenua Māori Programme (TPK and Ministry of Justice)	2019–present	Established as part of the review of Te Ture Whenua Māori Act to assist Māori trustees and owners of freehold land to investigate the development potential of their whenua.	\$56.1 million in Budget 2019, spread over four years.
Progressive Home Ownership fund (Te Tūāpapa Kura Kāinga – Ministry of Housing and Urban Development)	2019–present	Progressive Home Ownership supports lower-to-median households, first-home buyers, and households unable to service a mortgage into home ownership through different housing options (including rent-to-buy, shared equity, and leasehold). Māori are a priority group. The Fund can be accessed by individuals or whānau directly through Kāinga Ora (First Home Partner – a shared-ownership scheme), or through a programme run by a PHO provider. There are two Māori PHO providers. Te Au Taketake provides Māori organisations a third pathway supporting whānau into home ownership. ²⁴⁶	\$400 million in 2021/22 PHO funding is offered to providers as a 15-year interest free loan. By the end of 2022: ²⁴⁷ Māori made up 11 per cent of households supported (30 / 269). Five Māori and Iwi organisation had been approved as PHO providers.
MAIHI Partnerships Programme	2020–	Designed to make it easier for hapū, iwi and Māori housing providers to access housing support. ²⁴⁸ Four iwi-led prototypes confirmed by May 2021.	Budget 2020: \$40 million By end of 2022: ²⁴⁹ <ul style="list-style-type: none"> • 10 homes built • 29 homes under construction • 62 homes contracted • Supply funding contracted: \$13.6m

²⁴⁶ Te Tūāpapa Kura Kāinga – Ministry of Housing and Urban Development, 'Progressive Home Ownership fund', Te Tūāpapa Kura Kāinga – Ministry of Housing and Urban Development, 2023, www.hud.govt.nz/our-work/progressive-home-ownership-fund/ (accessed 25 January 2023)

²⁴⁷ Te Tūāpapa Kura Kāinga, 'MAIHI Ka Ora, Ka Mārama'. 2023. *Te Tūāpapa Kura Kāinga*. 16 March 2023. <https://www.hud.govt.nz/stats-and-insights/maihi-ka-ora-ka-marama/he-kura-te-tangata/#tabset>

²⁴⁸ Te Tūāpapa Kura Kāinga, 'MAIHI Partnerships Programme'. 2023. *MAIHI Partnerships Programme - Ministry of Housing and Urban Development*, <https://www.hud.govt.nz/our-work/maihi-partnerships-programme/> (accessed 16 March 2023)

²⁴⁹ HUD, 'Māori Housing Investment – Partnership Timeline', *from general govt feedback on draft report*

Programme	Duration	Description	Results and resourcing
Whai Kāinga Whai Oranga		Delivering housing outcomes for Māori through Te MAIHI o te Whare Māori – the Māori and iwi Housing Innovation Framework for Action (MAIHI). Funding (from Vote Housing and Urban Development and Māori Development Budgets) announced in Budget 2021 was combined with \$350 million from the Māori Infrastructure Fund to fund the new Whai Kāinga, Whai Oranga programme to the tune of \$730 million over four years.	Budget 2021 \$730 million. By end of 2022: ²⁵⁰ <ul style="list-style-type: none"> • 23 homes built • 219 homes under construction • 959 homes contracted • Supply funding contracted: \$151.9m

Special Housing Action Zones

By 2008, the Special Housing Action Zones (SHAZ) had been in operation for eight years, providing advice and capacity building funds through Te Puni Kōkiri and housing funding through HNZC. SHAZ is a small fund designed to support Māori landowners progress their housing development plans.²⁵¹ The capacity building funds could be used for a variety of purposes, including contracting specialist support.²⁵²

In its 2011 performance audit, the Office of the Auditor-General report described Te Puni Kōkiri as the ‘first port of call’ for many Māori wanting to build on their land and was assessed as implementing partnership principles more fully than agencies delivering other Māori housing interventions.²⁵³ The Office of the Auditor-General noted, however, that Te Puni Kōkiri staff were not trained in housing issues and referred people on to the one SHAZ Manager who was based in Te Puni Kōkiri Head Office, Wellington. While many of the whānau and trusts interviewed spoke highly of the SHAZ Manager and the funding, saying they would have struggled without this support, one staff member and a small budget of \$485,000 per year limited the help and support that Te Puni Kōkiri could provide.²⁵⁴

By 2011, Te Puni Kōkiri had supported the development of a toolkit for building housing on Māori land (developed in conjunction with Hastings District Council), and Māori landowners were being supported to prepare feasibility plans, concept plans, and to employ staff to implement housing plans.²⁵⁵ The SHAZ funding had also enabled the sharing of experiences and knowledge. For example, an Auckland

²⁵⁰ HUD, ‘Māori Housing Investment – Partnership Timeline’, *from general govt feedback on draft report*

²⁵¹ Controller and Auditor-General, ‘Government planning and support for housing on Māori land’, p. 77

²⁵² Controller and Auditor-General, ‘Government planning and support for housing on Māori land’, p. 30

²⁵³ Controller and Auditor-General, ‘Government planning and support for housing on Māori land’, p. 99

²⁵⁴ Controller and Auditor-General, ‘Government planning and support for housing on Māori land’, p. 54

²⁵⁵ Controller and Auditor-General, ‘Government planning and support for housing on Māori land’, p. 99

group planning a housing development had received funding to visit with a Tauranga group that had completed their development.²⁵⁶ The Office of the Auditor-General identified this type of visiting experience as a critical success factor for Māori landowners; that is, Māori landowners were more likely to be successful at fulfilling their housing aspirations if they have the opportunity to ‘speak with other landowners who have built on their land to find out what worked well’.²⁵⁷

In 2014, the Office of the Auditor-General reported that between 2011 and June 2014, SHAZ funding had further supported Māori capacity to develop housing proposals:

- 12 projects in 2011/12, with an average investment of \$37,000;
- 11 projects in 2012/13, with an average investment of \$41,000; and
- 15 projects in 2013/14, with an average investment of \$29,920.²⁵⁸

In addition, 12 Māori organisations that had received SHAZ funding had gone on to secure grants worth \$13.68 million to build a total of 79 dwelling units on Māori land. Three of these organisations had also received infrastructure grants for 20 more housing sites.²⁵⁹

The Office of the Auditor-General’s follow up 2014 report also recognised the sharing of the papakāinga toolkit developed in the Bay of Plenty (see below, Māori Demonstration Projects) as a ‘notable practice’. This step-by-step toolkit and the accompanying workshop were designed to help with the preparation of proposals and development plans for housing developments on Māori land. As part of the SHAZ work, Te Puni Kōkiri walked alongside a Māori organisation doing a housing development to test the toolkit and respond to issues that arose along the way. Te Puni Kōkiri also tested the workshop approach in six regions: Mid North (Te Runanganui o Ngāpuhi), West Auckland, Tairāwhiti (Te Runanganui o Ngāti Porou and Te Runanga o Turanganui a Kiwa), Waikato, Takitimu, and Western Bay of Plenty and its subregion. This approach included local people with housing development experience as workshop facilitators. Attendees interest in and commitment to building housing on Māori land increased as a result of these workshops, the Office of the Auditor-General noted in 2014.²⁶⁰

²⁵⁶ Controller and Auditor-General, ‘Government planning and support for housing on Māori land’, p. 52

²⁵⁷ Controller and Auditor-General, ‘Government planning and support for housing on Māori land’, p. 62

²⁵⁸ Controller and Auditor-General, ‘Government planning and support for housing on Māori land. Progress in responding to the Auditor-General’s recommendations’, p. 14

²⁵⁹ Controller and Auditor-General, ‘Government planning and support for housing on Māori land. Progress in responding to the Auditor-General’s recommendations’, p. 14

²⁶⁰ Controller and Auditor-General, ‘Government planning and support for housing on Māori land. Progress in responding to the Auditor-General’s recommendations’, pp. 14-15

Māori Demonstration Partnership

The Māori Demonstration Partnership (MDP) fund was established in 2008 and administered by Kāinga Ora. When the scheme began, and when the Office of the Auditor-General conducted its performance audit in 2011 Kāinga Ora was known as Housing New Zealand.²⁶¹ The MDP was an extension of the Housing Innovation Fund (HIF), discussed in Chapter Five, with \$5 million of the \$20 million HIF fund set aside in 2009/10 for MDP fund projects.²⁶² In his speech to the inaugural National Māori Housing Conference in March 2010, the Minister of Building and Construction, Maurice Williamson, stated that the idea for the MDP had emerged from discussion with Māori and in recognition of the changing economic environment Māori were operating within.²⁶³ Williamson said:

As the pace of Treaty settlements has picked up, and with it the pace of Māori economic development, more and more iwi are becoming asset rich, and are looking for opportunities to invest and help their people. We wanted to test how the government could best help Māori to leverage off their assets, and help house Māori. From this process, Housing New Zealand hoped to identify potential strategic partners it could continue to work with in the future.²⁶⁴

Māori Demonstration Project funding was able to be used for almost all the costs involved, including planning the development, building houses, and infrastructural services. Māori organisations needed to contribute 50 per cent of the project's equity in the form of land, funds, and/or labour. Capacity funding was also initially available to pay for professional services needed as part of planning the development, but this was discontinued.²⁶⁵

In 2009, a pilot MDP housing development at Makahae Marae, Tauranga Moana, and the Māori Housing Toolkit, mentioned above, were launched.²⁶⁶ The development of the Toolkit – Te Keteparaha mō ngā Papakāinga – was a joint project coordinated by SmartGrowth (in the Western Bay of Plenty), with Makahae Marae and a Joint Agency Group that included Housing New Zealand, Te Puni Kōkiri and the Māori Land Court.²⁶⁷ The Toolkit aimed to 'assist Māori Land Trusts with their aspirations to

²⁶¹ Controller and Auditor-General, 'Government planning and support for housing on Māori land', p. 97

²⁶² Office of the Auditor-General, 'Government planning and support for housing on Māori land', p. 10, p. 86

²⁶³ Maurice Williamson, 'Address to National Māori Housing Conference', 23 March 2010, www.beehive.govt.nz/speech/address-national-māori-housing-conference (accessed 13 January 2023)

²⁶⁴ Williamson, 'Address to National Māori Housing Conference'

²⁶⁵ Ruru, 'Papakāinga and whānau housing on Māori freehold land', p. 156

²⁶⁶ Livesey, 'He Kāinga Hou ki te Hau Kāinga - Housing development on multiply-owned ancestral land in a high-growth area of New Zealand', p. 1

²⁶⁷ Livesey, 'He Kāinga Hou ki te Hau Kāinga - Housing development on multiply-owned ancestral land in a high-growth area of New Zealand', p. 68

develop and build homes on multiply-owned Māori land for the beneficial owners'.²⁶⁸ As the Project Manager at the Marae explained, 'recording what the difficulties are, finding solutions for those, and then putting them into a guide or a toolkit ... gives [others] an indication that if you go this way, then... rather than six months, you might get your applications through in three'.²⁶⁹ According to researcher Brigid Te Ao McCallum Livesey:

The Project Manager from Makahae Marae ... [saw] the Māori Demonstration Partnership fund ... [as] an initiative from the new National Government to get models 'working on the ground'. The Project Manager (Mangatawa Papamoa) stated the importance of government funding, noting that '... a lot of Māori organisations are asset-rich, cash-poor. So we have the land but we don't have the money. Investors see us as risky, and so we need these government initiatives to help kick-start these things'.²⁷⁰

The 2011 performance audit by the Office of the Auditor-General found that four partnerships had been formed with Māori organisations (Mangatawa Papamoa Block Incorporated, Te Runanga o Te Rarawa, Te Runanga o Ngāti Awa and Ngāti Hine Health Trust) and funding provided to support the building of 15 houses, 28 kaumātua houses and a large communal building (see Table 6.4). Two of the organisations were using Māori freehold land, while two others had purchased general land to use for the housing development.²⁷¹ The audit also identified good practice in agency coordination that had supported a hapū trust in their housing aspirations:

The group included HNZC, TPK, Manukau City Council, and non-government organisations. Bringing the different agencies together gave the trust the information it needed to apply for MDP funding. It also helped it to access expertise that it did not have.²⁷²

The MDP provision of grants and low-cost loans (typically for an extended interest-free period of up to 10 years) to Māori organisations to help them develop housing on Māori land was in line with the review of Rural Housing Programme commissioned by the Department of Building and Housing and described in the Office of the Auditor-General's 2011 report. This review questioned whether homeownership was a realistic option for many whānau and recommended that individual housing solutions be 'replaced

²⁶⁸ Smartgrowth, *Te Keteparaha Mo Nga Papakāinga - Māori Housing Toolkit*, 1st edn. Tauranga: SmartGrowth Western Bay of Plenty, 2009, p. 1; See also Livesey, 'He Kāinga Hou ki te Hau Kāinga - Housing development on multiply-owned ancestral land in a high-growth area of New Zealand', p. 68

²⁶⁹ Livesey, 'He Kāinga Hou ki te Hau Kāinga - Housing development on multiply-owned ancestral land in a high-growth area of New Zealand', p. 68. Findings from her own interviews.

²⁷⁰ Livesey, 'He Kāinga Hou ki te Hau Kāinga Housing development on multiply-owned ancestral land in a high-growth area of New Zealand', p. 69. Findings from her own interviews.

²⁷¹ Controller and Auditor-General, 'Government planning and support for housing on Māori land', p. 93

²⁷² Controller and Auditor-General, 'Government planning and support for housing on Māori land', p. 59

by a community redevelopment approach'.²⁷³ This review was, however, at odds with the 2007 evaluation of the Rural Housing Programme by Kay Saville-Smith and Nan Wehipeihana, described in Chapter Five, that identified programmatic barriers related to the capability and commitment of Housing New Zealand Corporation to implementing the programme.²⁷⁴

Jacinta Ruru endorsed the shift from individual owners to Māori trusts and a community redevelopment approach, writing that trusts faced fewer risks than individual owners because they were 'inherently linked to the land' and able to provide wraparound services and supports to enhance the wellbeing of homeowners.²⁷⁵ Even so, the Office of the Auditor-General's 2011 report found that smaller Māori organisations were not able to access funding to build on their land, attributing this to their lack of finances or capacity to develop project plans.²⁷⁶ Smaller trusts were also often unclear about the criteria they needed to fulfil in order to qualify for funding, pointing once more to systemic failings.²⁷⁷ The Office of the Auditor-General's 2011 assessment of the MDP fund was that it 'had not always been managed in keeping with the principles of partnership' [as the fund] had been 'administered ... more like a contestable fund'.²⁷⁸ There was also no discernible 'overall strategy for capturing, disseminating, or using learning from partnerships'.²⁷⁹

The Office of the Auditor-General made two recommendations from its performance audit of the Māori Demonstration Partnership Fund:

We recommend that the Department of Building and Housing better target financial support programmes by:

- better matching the support available to the financial circumstances of Māori, so that it is available and affordable for more Māori organisations and households;
- making financial support available when costs are incurred; and
- structuring the financial support to make housing developments sustainable ... We recommend that the Department of Building and Housing, working with other agencies, build the capacity of Māori organisations that plan to participate in housing. This includes

²⁷³ Controller and Auditor-General, 'Government planning and support for housing on Māori land', p. 85

²⁷⁴ For example, Kay Saville-Smith and Nan Wehipeihana, 'An assessment of the Rural Housing Programme 2001-2005/06: A synthesis of evaluation findings. Rural Housing Programme long-term outcomes evaluation', 2007, pp. i-ii.

²⁷⁵ Ruru, 'Papakāinga and whānau housing on Māori freehold land', *Revised legal frameworks for ownership and use of multi-dwelling units*, p. 157

²⁷⁶ Controller and 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', p. 86

²⁷⁷ Controller and Auditor-General, 'Government planning and support for housing on Māori land', p. 87

²⁷⁸ Office of the Auditor-General, 'Government planning and support for housing on Māori land', p. 38, p. 87

²⁷⁹ Office of the Auditor-General, 'Government planning and support for housing on Māori land', p. 38

their ability to project manage a housing development through the legal and practical processes required to successfully build houses on Māori land.²⁸⁰

By 2014, the Department of Building and Housing had become part of the Ministry of Business, Innovation and Employment (MBIE) and changes had been instigated to match support to the financial circumstances of Māori, make this support available when costs were incurred, and structure financial support to help ensure the sustainability of housing developments. By the end of the 2013/14 financial year MBIE had funded 12 Māori organisations or collectives to develop their housing plans, and distributed a total of \$1.44 million to these organisations as Kāinga Whenua Project Capability grants (with funds separated out from the Pūtea Māori fund in December 2013).²⁸¹ The MDP fund was not mentioned in the Office of the Auditor-General's 2014 progress report. Rather, it reported on the Kāinga Whenua Loans, infrastructure grants, capacity grants and the Social Housing Fund as part of the Government's responsiveness to Recommendations 4 and 5. By 2015, the funding available through MBIE had been transferred to Te Puni Kōkiri, and the Māori Housing Network established as a conduit for financial support for Māori housing development on Māori land.²⁸²

Kāinga Whenua Loans

The Kāinga Whenua loan scheme was established in February 2010 to provide loans to Māori to construct, buy, or relocate houses on Māori land. It was a joint scheme between Kāinga Ora (known as Housing New Zealand, when the scheme began) and Kiwibank.²⁸³ Under the Kāinga Whenua loan scheme, the housing loan is secured against the house and not the land it stands on, in recognition that Māori land cannot be easily sold. Kāinga Ora secures the Kiwibank loan, and the house remains a chattel of the borrower, not a land improvement. Its purpose is to enable New Zealanders who have a licence to occupy multiple-owned Māori land to build, purchase, or relocate a house there.²⁸⁴ Only people who have no other access to finance for that purpose are eligible. Applicants initially needed to be first-home buyers, and the maximum income of a two-income household was \$85,000 (or, for three or more buyers, \$120,000). They could receive 100 per cent of the house building costs or the purchase price of the house, up to \$200,000. In addition, Brigid Livesey reported from her 2010 research that:

²⁸⁰ Office of the Auditor-General, 'Government planning and support for housing on Māori land', p. 16

²⁸¹ Controller and Auditor-General, 'Government planning and support for housing on Māori land. Progress in responding to the Auditor-General's recommendations', p. 2, p. 10

²⁸² Te Puni Kōkiri, 'Māori Housing Network Introduction', 2015, p. 1

²⁸³ Housing Shareholders Advisory Group, 'Home and Housed: A Vision for Social Housing in New Zealand', April 2010, p. 43

²⁸⁴ Housing Shareholders Advisory Group, 'Home and Housed: A Vision for Social Housing in New Zealand', p. 43

several commentators noted that Kāinga Whenua loans are only available for housing construction, and not for Development Impact Fees or consent costs. Construction loans are based on a fixed-price contract with a builder, which determines the timing and quantum of payments. This means further sources of funding are required to pay up-front costs, which may limit the usefulness of this funding to owners of Māori land.²⁸⁵

Pessimism pervaded the scheme from the outset. In April 2010, the Housing Shareholders' Advisory Group wrote that '[i]t has not been possible to obtain projections of how many households this scheme will help, but without skilled support the numbers are not expected to be high'.²⁸⁶ Their prediction proved to be an understatement. Only one loan was advanced between February and December 2010.²⁸⁷ The 2011 Office of the Auditor-General report on government planning and support for housing on Māori land noted that one reason for the dearth of loans was that multiple visits (to various organisations) were required if a low-income individual or whānau with shares in Māori land wanted to apply for a Kāinga Whenua loan. According to the Office of the Auditor-General:

The process of applying for a Kāinga Whenua loan is long and complicated. We estimate that there are up to 30 steps involved. Applicants will need to interact with a range of agencies and organisations, including local authorities, the Māori Land Court, Māori land trusts and shareholders, HNZN [Housing New Zealand Corporation], and Kiwibank.²⁸⁸

The Office of the Auditor-General also singled out Housing New Zealand's disorganisation and lack of knowledge. Their review noted that it was unlikely that Housing New Zealand Corporation's front-desk staff would be able to help with specific questions about Māori land because their training had been minimal. The Office of the Auditor-General's performance audit explained that the Housing New Zealand Corporation had created a booklet about the Kāinga Whenua Loan scheme, but failed to make these booklets readily available in its branch offices, and to adequately train its staff about this loan scheme and local authority and Māori Land Court processes and procedures. According to this performance audit, Housing New Zealand Corporation staff can 'book an appointment for the whānau to meet with the local HNZN project manager, who will be able to talk to them about their plans and discuss Kāinga Whenua [but] this is unlikely to be on the day that the whānau have visited'.²⁸⁹

²⁸⁵ Livesey, 'He Kāinga Hou ki te Hau Kāinga - Housing development on multiply-owned ancestral land in a high-growth area of New Zealand', p. 82

²⁸⁶ Housing Shareholders Advisory Group, 'Home and Housed: A Vision for Social Housing in New Zealand', p. 43

²⁸⁷ Office of the Auditor-General, 'Government planning and support for housing on Māori land', p. 32

²⁸⁸ Office of the Auditor-General, 'Government planning and support for housing on Māori land', p. 90

²⁸⁹ Office of the Auditor-General, 'Government planning and support for housing on Māori land', p. 60

Although these logistical inconveniences undoubtedly contributed to the low uptake of loans, in 2011 even larger barriers existed to prevent whānau and organisations from accessing the scheme. The report by the Office of the Auditor-General noted that ‘the low uptake of the loans is not because of a lack of interest or demand’, but rather that many Māori households have low incomes and cannot afford to service a home loan; the scheme’s eligibility criteria precluded those who could afford a loan; and obtaining consent to build from other owners was difficult without land trusts.²⁹⁰ Furthermore, Māori households were exposed to a particular financial risk when they took on a mortgage to build a house on Māori land: the right to occupy Māori land was restricted, making it difficult to sell a house on Māori land. The limited market for housing on Māori land meant that a dwelling on Māori land was likely to lose rather than gain value. If forced to sell, the owners were unlikely to get more than the salvage price for the house; if their circumstances changed or the borrowing household could not meet their mortgage payments, they could be left with a large debt that they cannot repay by selling the house.²⁹¹ Jacinta Ruru also reiterated the financial risks highlighted by the Office of the Auditor-General for Māori landowners of a taking out a Kāinga Whenua loan to build on Māori land:

As the right to occupy Māori land is restricted by TTWMA [Te Ture Whenua Māori Act], it is more difficult to sell a house on Māori land than on general land. Due to this limited market, the house is likely to lose rather than gain value. If a homeowner does default on the loan, in general HNZ [Housing New Zealand] will have to remove the house. This has a negative effect on both parties: it leaves the homeowner without a house and usually causes HNZ to incur a debt. In addition, if the sale of the house does not pay off the debt in full, HNZ will require the borrower to pay off the remaining debt.²⁹²

The struggle many Māori would have servicing a mortgage was also recognised by the Productivity Commission in its 2012 inquiry into housing affordability.²⁹³ Habitat Auckland’s submission to the inquiry, for example, described the Kāinga Whenua loan scheme as ‘spectacularly unsuccessful’.²⁹⁴ The Productivity Commission report included the suggestions made in submissions by the Western Bay of Plenty Māori Housing Forum and Pahia Turia for improving the scheme.²⁹⁵ However, the Commission concluded that whatever new conditions were designed for the Kāinga Whenua loan scheme, it would

²⁹⁰ Office of the Auditor-General, ‘Government planning and support for housing on Māori land’, p. 79

²⁹¹ Office of the Auditor-General, ‘Government planning and support for housing on Māori land’, p. 84

²⁹² Jacinta Ruru, ‘Papakāinga and whānau housing on Māori freehold land’, p. 153

²⁹³ New Zealand Productivity Commission, *Housing Affordability Inquiry*, p. 239

²⁹⁴ New Zealand Productivity Commission, *Housing Affordability Inquiry*, p. 213

²⁹⁵ New Zealand Productivity Commission, *Housing Affordability Inquiry*, pp. 251-252

be unlikely to meet the needs of rural Māori or deliver much housing on Māori land.²⁹⁶ The suggestions made were to:

- Remove the limit of 250 loans per annum
- Remove the income cap
- Remove the requirement of being a first-home owner and/or be made available to higher-income earners who desire to live on papakāinga lands that are unable to access finance through other mainstream tier one lenders.
- Remove the internal requirement of holding back 10% of the approved loan as contingency when a fixed-price building contract has been signed
- Remove the requirement of placing an encumbrance on the Māori land title merely to note that HNZN has legal interest in the removal of the house
- Review and contemporise the tripartite agreement, including making it possible to use forms of tenure other than licences to occupy
- Remove the requirement to building on piles which increases cost by 5–10% where the owner agrees to take out mortgage insurance or the Trust agrees to assist with default management
- Make the product available to island communities (e.g., Chatham Islands, Matakana Island, Rangiwaia Island in Tauranga)
- Those whānau members who are jointly applying for the loan not be required to live in the same abode.
- Extend the term of the guarantee being provided by HNZN on the borrowing where capital expenditure is required on the property in the future, or a suitable alternative.²⁹⁷

The Commission also noted that taking security over a house, as had been done since 1985 for lending on houses on Māori land, was merely a threat to discourage mortgage default as taking possession of a house in the case of mortgage default cost HNZN more than it would recover. The Productivity Commission therefore suggested that it would be more cost effective for the Crown to ensure that loans are repaid through the provision of education programmes and advice. This had been successful as part of the Low Deposit Rural Loans scheme, but was absent from the Kāinga Whenua loan scheme.²⁹⁸ The Commission recommended: ‘Where the government lends for homes on Māori land, it should manage defaults through a more cost-effective means of repossessing the houses’.²⁹⁹

²⁹⁶ New Zealand Productivity Commission, *Housing Affordability Inquiry*, p. 239

²⁹⁷ New Zealand Productivity Commission, *Housing Affordability Inquiry*, pp. 251-252

²⁹⁸ New Zealand Productivity Commission, *Housing Affordability Inquiry*, p. 253

²⁹⁹ New Zealand Productivity Commission, *Housing Affordability Inquiry*, p. 253

In spite of the Productivity Commission’s pessimism, changes were made to the Kāinga Whenua loan scheme in an attempt to make it more accessible by actioning some of the feedback the Productivity Commission had received. In 2012, the Government raised the income cap for both one and two-or-more borrowers and, in addition to first-home buyers, current homeowners and those who had previously owned a home could now apply. In 2013, the Housing Corporation made Māori land trusts eligible for the scheme, including being able to apply for loans for housing on land that had been returned in Treaty settlements.³⁰⁰ When the Reserve Bank introduced Loan to Value Ratio Restrictions in 2013, they did not cover Kāinga Whenua loans as they were not seen as residential mortgages.³⁰¹ During the same year, Cabinet mandated the removal of the requirement that houses be relocatable if there was an alternative form of security. The changes were summarised by the Office of the Auditor-General (see Table 6.5), which noted:

In our view, the changes to the criteria for the Kāinga Whenua loan scheme and introduction of the infrastructure and project capability funding represent a good first step towards the Government better targeting financial support.³⁰²

Table 6.5: Changes in Kāinga Whenua loan scheme criteria, 2012-13
Controller and Auditor-General, ‘Government planning and support for housing on Māori land. Progress in responding to the Auditor-General’s recommendations’, p. 13

Previous criteria	Criteria from 1 December 2012	Further changes in 2013
Available only for people buying their first homes.	Current homeowners and those who have previously owned a home can apply.	-
All borrowers who contribute to the loan repayments must live in the house.	Only one borrower needs to live full-time in the house. Other whānau members, not living in the house, are able to contribute to the loan repayments.	-
Previous income cap: • \$85,000 for one or two borrowers. • \$120,000 for three or more borrowers.	Current income cap: • \$120,000 for one borrower. • \$160,000 for two or more borrowers.	-

³⁰⁰ Andrew Barker, ‘Improving well-being through better housing policy in New Zealand. Economics Department Working Paper No. 1565’, 2019, p. 26; Office of the Auditor-General, ‘Government planning and support for housing on Māori land: Progress in responding to the Auditor-General’s recommendations’, 2014, p. 13

³⁰¹ Wai 2750, D#17 Res Bank fact sheets 8-3-21, p. 1

³⁰² Controller and Auditor-General, ‘Government planning and support for housing on Māori land. Progress in responding to the Auditor-General’s recommendations’, p. 13

Previous criteria	Criteria from 1 December 2012	Further changes in 2013
Available for building, buying, or re-locating homes on Māori land.	Available for building, buying, or re-locating homes on Māori land, but can also be used for repairs and maintenance on existing homes on the land.	Grants and loans are now also available for land that hapū and iwi receive from their Treaty settlements.
Māori land trusts not eligible.	Māori land trusts were invited to register their interest.	Māori land trusts eligible for loans.
Houses built on ancestral land must be relocatable (mandatory in the event of a loan default).		Cabinet mandate for removing requirement as long as there is alternative security for the loan.

By 2014, 10 Kāinga Whenua individual loans had been approved, to a value of \$1.85 million, and one collective loan was approved. This was far short of the potential 342 loans each year identified by the Office of the Auditor-General.³⁰³ Ten more trusts had registered their interest in obtaining Kāinga Whenua loans with the Housing New Zealand Corporation.³⁰⁴ Further changes had also been made by 2014 to improve the Kāinga Whenua scheme ‘to make building on Māori land easier and allow a wider group of borrowers to access lending (including extending the loan scheme to land received by iwi and hapū as part of Treaty settlements) as well as allowing them to borrow for repairs and maintenance’.³⁰⁵ By the end of the 2016/2017 financial year, 17 Kāinga Whenua loans had been taken up since the scheme was introduced in 2010, nine more were in the process of being drawn down, and another 17 loans had been preapproved. This compared with 1,381 Welcome Home loans for first home buyers being processed in 2016/2017 alone, with lenders’ mortgage insurance underwritten through the Welcome Home Loan programme.³⁰⁶

Delegates at the fourth National Māori Housing Conference in 2016 were still advocating for changes to be made to the Kāinga Whenua loan scheme to make it more accessible. They proposed a Māori underwriter be used rather than Housing New Zealand Corporation, the possibility of a collaborative Crown-iwi underwriting of an investment fund that would be accessible to whānau, and the creation of financial incentives for other financial institutions to become lenders.³⁰⁷

³⁰³ Controller and Auditor-General, ‘Government planning and support for housing on Māori land. Progress in responding to the Auditor-General’s recommendations’, p. 12

³⁰⁴ Controller and Auditor-General, ‘Government planning and support for housing on Māori land. Progress in responding to the Auditor-General’s recommendations’, p. 10

³⁰⁵ Office of the Auditor-General, ‘Government planning and support for housing on Māori land: Progress in responding to the Auditor-General’s recommendations’, 2014, p. 12

³⁰⁶ Housing New Zealand, ‘Annual report 2016/17’, 2017, p. 32

³⁰⁷ Centre for Social Impact, ‘National Māori Housing Conference 2016. Report on Conference proceedings and outcomes’, 2016, p. 14

In its 2017/2018 Annual Report, Housing New Zealand stated that it was, ‘working with agencies to address the key barriers faced by whānau and rūpū who wish to build papakāinga or individual homes on Māori land, and potential approaches to addressing these, including improving the operation of Kāinga Whenua loan’.³⁰⁸ Māori Land Court Judge Layne Harvey (Ngāti Awa, Rongowhakaata, Te Aitanga a Māhaki, Ngāti Kahungunu ki Te Wairoa, and Te Whānau a Apanui) advocated in his 2018 doctoral thesis for ‘[s]implifying the rules for occupation orders and aligning these requirements with the Whenua Kāinga housing loan schemes [which would] encourage the increased use of Māori land for dwellings and papakāinga’.³⁰⁹

By 2018 many whānau were still unable to service a mortgage. According to the 2018 Census, the average income in Northland was \$24,800.³¹⁰ The General Manager of Te Matapihi, Wayne Knox, has described the Kāinga Whenua loan application process as ‘one of those “death by a thousand cuts” kind of things ... where there’s all these little things, they just add up, which make it a lot harder than a standard mortgage product to be able to access’³¹¹ (see Figure 6.6 above for an overview of the application process). In March 2018, Kiwibank signalled that it would be withdrawing from the Kāinga Whenua loan scheme. Although the Housing New Zealand Corporation worked with Kiwibank to find an interim solution, the bank then expressed its lack of interest in pursuing this scheme. Kiwibank committed to continuing to accept applications until an alternative loan facility was found or developed.³¹² Housing New Zealand officials identified the banks lack of interest as a key reason why only 37 Kāinga Whenua loans had been settled by 2018/2019 (with a further eight loans pre-approved and eight in the process of being drawn down), and only 70 loans had been issued by the beginning of 2022.³¹³

³⁰⁸ Housing New Zealand, ‘2017/18 Annual Report’, 2018, p. 49

³⁰⁹ Layne Harvey, ‘Would the proposed reforms affecting ahu whenua trusts have impeded hapū in the development of their lands? A Ngāti Awa perspective’, PhD thesis, Auckland University of Technology, 2018, p. 230

³¹⁰ StatsNZ, ‘2018 Census place summaries: Northland region’, www.stats.govt.nz/tools/2018-census-place-summaries/northland-region#income (accessed 8 December 2022)

³¹¹ Wayne Knox quoted in Ella Stewart, ‘The Land Laid Bare: Why Māori can’t build on their whenua’, 30 May 2022, www.rnz.co.nz/news/te-manu-korihi/468122/the-land-laid-bare-why-maori-can-t-build-on-their-whenua (accessed 8 December 2022)

³¹² Housing New Zealand, ‘Briefing for the incoming Minister of Housing’, 2019, p. 65

³¹³ Housing New Zealand, ‘Briefing for the incoming Minister of Housing’, 2019, p. 65; Ella Stewart, ‘The Land Laid Bare: Why Māori can’t build on their whenua’, 30 May 2022, Radio New Zealand, www.rnz.co.nz/news/te-manu-korihi/468122/the-land-laid-bare-why-maori-can-t-build-on-their-whenua (accessed 8 December 2022)

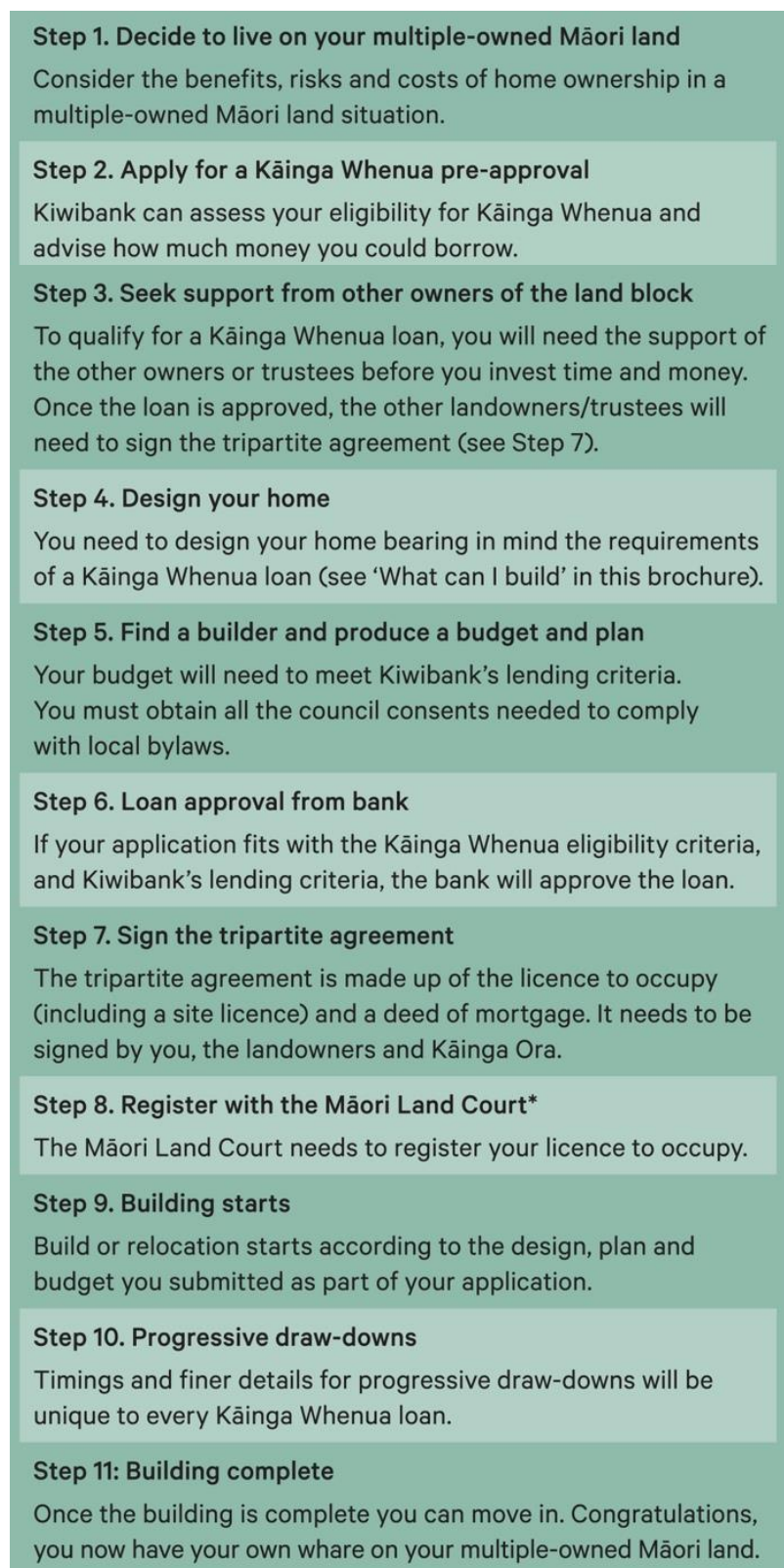


Figure 6.6: Kāinga Whenua loan steps, 2022,
Kāinga Ora. 'Kāinga Whenua loan for individuals - Lending for housing on multiple-owned land - Pamphlet',
2022, p. 2

While outside the scope of this report, it is worth noting that in April 2022 it was announced that Kiwibank had ‘upgraded’ the Kāinga Whenua loan scheme following a review of whether it was fit-for-purpose. Head Māori advisor for Kiwibank, Teahooterangi Pihama (Te Ātiawa, Ngā Māhanga-a-Tairi, Tainui, Ngāti Maru) said:

One of the many improvements we have made to the scheme is we are now accepting leases... The bank is now allowing loans on smaller dwellings, dropping the minimum from 70 to 50 square metres, and there is no deposit for smaller loans. A minimum deposit of 15% is required for the portion of the loan over \$200K.³¹⁴

Kāinga Whenua Infrastructure Grants

A Kāinga Whenua Infrastructure Grant covers the cost of infrastructure needed to connect developments on Māori land to existing infrastructure. Māori housing developments, particularly those on rural land, often had to overcome a lack of investment in infrastructure to support housing. They therefore required additional infrastructure investment over and above what was required, for example, for an urban subdivision.³¹⁵ From 2013–2015, MBIE had \$3 million a year in funding to distribute. When the Office of the Auditor-General’s progress report was published in 2014, 19 grants had been given out, totalling \$3.45 million, which supported the development of 83 houses (78 of which were newly built dwellings). Ten infrastructure grants ranging from \$18,196 to \$990,363 went to trusts or other Māori collectives (an average grant of \$40,108 per house). The other nine infrastructure grants went to individuals and ranged from \$18,400 to \$96,000.³¹⁶

In 2015, this grant was added to the portfolio of the Māori Housing Network (mentioned above, and discussed further below), with a 2015 budget of \$2.8 million. The funding was available to individual households and land trusts to develop papakāinga, affordable and social housing on Māori land.³¹⁷ In the years from 2015/16, Te Puni Kōkiri approved infrastructure funding for housing projects, with projections that the infrastructure built or installed would support between 62 to 116 new homes each year (see Table 6.6 below). The goal was to supply infrastructure to new home sites in the realisation that it may take longer than the financial year for the new homes to be built.

³¹⁴ Waatea News, ‘Māori home loan scheme revamped’, 5 April 2022, <https://waateanews.com/2022/04/05/maori-home-loan-scheme-revamped/> (accessed 25 January 2023)

³¹⁵ Housing New Zealand Corporation, *Māori housing trends*. 2008. Wellington: Housing New Zealand Corporation, 2008, p. 44; Livesey, ‘He Kāinga Hou ki te Hau Kāinga Housing development on multiply-owned ancestral land in a high-growth area of New Zealand’, pp. 56-7

³¹⁶ Controller and Auditor-General, ‘Government planning and support for housing on Māori land. Progress in responding to the Auditor-General’s recommendations’, p. 11

³¹⁷ Te Puni Kōkiri, ‘Māori Housing Network - Our process, our funds’, 2016, p. 2

Table 6.6: Overview of number of new homes projected from infrastructure funding provided, by financial year, Source. Te Puni Kōkiri Annual Reports

Financial year	Number of new home sites	Number of papakāinga supported	Funding
2015/16	116	-	\$4,819 million
2016/17	66	-	\$3,861 million
2017/18	62	5	Not provided
2018/19	90	3	Not provided
2019/20	92	-	Not provided
2020/21	Not provided	-	Not provided

In 2019–2020, \$15.47 million was also invested in building the capability of the Māori housing sector (iwi, hapū, provider organisations), including training, financial capability workshops and feasibility/technical planning.³¹⁸ The 2021 budget allocation through Whai Kāinga, Whai Oranga raised this to \$30 million.

Pūtea Māori, Social Housing Unit

In 2010, the National Government transferred social housing funding to the Social Housing Unit MBIE, and ceased providing new Housing Innovation Fund loans.³¹⁹ In November that year, the Minister of Housing planned to develop a 2011 Budget bid for initiatives to support niche community housing providers that were able to access the Housing Innovation Fund, along with rural housing and Community Group Housing.³²⁰ This was seen by the Cabinet Social Policy Committee as part of this government’s support for existing third-party providers.³²¹ In its 2012 report, the Productivity Commission found that the Social Housing Fund was \$35.35 million, which included \$3 million for Māori housing and \$5 million for rural social housing.³²² While this provision of grants for up to 50 per cent of housing development costs was applauded by the Productivity Commission as ‘a significant step forward for making housing on Māori land accessible and affordable’, the small amount of funding

³¹⁸ Jade Kake, ‘Budget 2021 gives welcome boost to Māori housing’, 21 May 2021, www.stuff.co.nz/business/opinion-analysis/300313117/budget-2021-gives-welcome-boost-to-mori-housing, (accessed 15 January 2023)

³¹⁹ Kāinga Ora, ‘Forgiving Housing Innovation Fund Suspensory Loans and Grants’, 24 December 2019, <https://kaingaora.govt.nz/working-with-us/forgiving-housing-innovation-fund-suspensory-loans-and-grants/> (accessed 9 December 2022)

³²⁰ SOC (10) 128. Cabinet Social Policy Committee – Summary of Paper, ‘A new direction for social and affordable housing in New Zealand: Government’s response to the report of the Housing Shareholders’ Advisory Group’, 15 November 2010, p. 4

³²¹ SOC (10) 128. Cabinet Social Policy Committee – Summary of Paper, ‘A new direction for social and affordable housing in New Zealand: Government’s response to the report of the Housing Shareholders’ Advisory Group’, 15 November 2010, p. 12

³²² New Zealand Productivity Commission, *Housing Affordability Inquiry*, p. 247

available and the intention to use the funding to access private funding was seen as a potential barrier for Māori trusts with few assets.³²³

In its 2012 inquiry into housing affordability the Productivity Commission heard from Māori that the term ‘social housing provider’ did not fit well with Māori, even though Māori had aspirations to build both rental and owner-occupied homes on their land in order to provide a range of housing options for whānau members.³²⁴ The same criticisms levelled at the Māori Demonstration Partnerships by the Office of the Auditor-General in 2011 were seen by the Productivity Commission as applying to the Social Housing Unit funding, namely,

- There were high upfront costs for those that applied for funding, restricting the ability of some to apply effectively;
- The funding was being administered as a contestable fund when a partnership approach was more appropriate; and
- Having funding appropriated only for a single year made it hard to build ongoing relationships, appropriate to multi-year projects.³²⁵

The Department of Building and Housing’s submission to the Productivity Commission’s inquiry signalled its intention to review how the rural and Māori components of the Social Housing Unit funding had been administered.³²⁶ The Commission endorsed the need for this review in its recommendations and concluded that ‘the housing needs that Māori organisations address are broader than those the Social Housing Unit has tried to address’ and that greater flexibility was required so that Māori communities could implement tailored housing solutions.³²⁷

In September 2012, the Minister of Housing, Phil Heatley, announced that the Budget allocation of \$104.1 million to the Social Housing Unit would be spent funding non-government housing providers over the coming three years.³²⁸ One of the four streams in the Social Housing fund was a Māori stream, Pūtea Māori. This initiative aligned with Community Housing Aotearoa’s submission to the Productivity Commission’s inquiry, that a rural Māori housing budget should be appropriated separately from the social housing budget.³²⁹ Kāinga Whenua Project Capability was originally part of the Proposal Development fund, set up to assist with project development costs under the Social Housing Fund’s

³²³ New Zealand Productivity Commission, *Housing Affordability Inquiry*, p. 260

³²⁴ New Zealand Productivity Commission, *Housing Affordability Inquiry*, p. 244

³²⁵ New Zealand Productivity Commission, *Housing Affordability Inquiry*, p. 222

³²⁶ New Zealand Productivity Commission, *Housing Affordability Inquiry*, p. 222

³²⁷ New Zealand Productivity Commission, *Housing Affordability Inquiry*, p. 222, p. 245

³²⁸ Phil Heatley, ‘Social Housing Fund allocation announced’, 29 September 2012, www.beehive.govt.nz/release/social-housing-fund-allocation-announced (accessed 9 December 2022)

³²⁹ New Zealand Productivity Commission, *Housing Affordability Inquiry*, p. 245

Pūtea Māori Fund. However, it was separated from the Pūtea Māori Fund and re-aligned with Kāinga Whenua loans, as discussed above.

In 2014, the Office of the Auditor-General reported that grants totalling \$18.26 million had been approved for Pūtea Māori. These grants, spread across 18 organisations, were to fund 103 dwellings. The majority of the units (80 per cent) and projects (14 out of 18) were for housing on Māori land. Māori organisations or collectives received the remaining funding to build 20 per cent of the dwelling units on land they had either bought or acquired (see Table 6.7).³³⁰

Table 6.7: Overview of Pūtea Māori, as at October 2014,
Controller and Auditor-General, ‘Government planning and support for housing on Māori land. Progress in responding to the Auditor-General’s recommendations’, p. 11

Programme	Purpose	Funding
Pūtea Māori (Ministry of Business, Innovation and Employment)	Capital grant for social affordable and assisted home ownership housing, principally on Māori land. Established as a targeted fund for Māori in 2012 (grants in 2011/12 were made from the Māori and Rural Funds).	• \$4.2 million in 2011/12 • \$13.8 million in 2012-15 This funding is being included in the Māori Housing Fund.

The average cost of homes built by iwi and Māori Housing Organisations with Social Housing Unit funding was less than those previously built with Housing Innovation Fund funding, and less than those built by non-Māori community housing providers and registered charities (see Table 6.8 below). While the latter increased their average house spend by around \$65,000, the Māori spend dropped by around \$20,000. The non-Māori funding was more than five times that provided to Māori and iwi organisations (5.4x) and the number of homes built by non-Māori community housing providers and registered charities was nearly six times (5.8x) the number built by iwi and Māori organisations. The annual build rate for iwi and Māori housing organisations was around 33 per year. Community housing advocate Scott Figenshow noted that home building achieved under the Social Housing Unit fell short of what was needed by a factor of 10, as thousands of homes were needed rather than hundreds.³³¹

³³⁰ Controller and Auditor-General, ‘Government planning and support for housing on Māori land. Progress in responding to the Auditor-General’s recommendations’, p. 11

³³¹ ‘Appendix A. Answers from Scott Figenshow to questions in writing from Michael Sharp’, (Wai 2750, # 3.2.68), p. 4

Table 6.8: Social Housing Unit funding: Māori and non-Māori housing organisations, 2012–2015

	Homes	Funding	Percentage of total funding	Total project value	Average cost per house
Non-Māori CHPs & Registered Charities	758	\$117,748,689	84	\$265,124,795	\$349,866
iwi and Māori Housing Organisations	131	\$21,751,311	16	\$40,201,396	\$306,880
Total	889	\$139,500,000	100	\$305,400,000	\$343,532

In 2019, the Labour Government allowed existing Housing Innovation Fund recipient organisations the opportunity to have their suspensory loans and conditional grants forgiven. This was seen as a way to free up capital so the organisations could finance new social housing projects.³³² In its 2020/2021 Annual Report, Kāinga Ora said it had made commitments to advance \$1.6 million in Housing Innovation Fund funding.³³³ Money for the Housing Innovation Fund had come from Kāinga Ora setting aside: ‘Bank registered certificates of deposit, and short- and long-term investments’.³³⁴

Māori Housing Network

As discussed above, Te Puni Kōkiri formed the Māori Housing Network in 2015 to ‘support Māori-led initiatives and develop greater Māori capability in the sector’. The intention was to make Te Puni Kōkiri a ‘one-stop shop’ to support and provide advice on Māori led housing initiatives.³³⁵ In its first year of operation, from October 2015 to June 2016, the Network funded 35 papakāinga developments, 41 housing units, and repairs to 243 homes.³³⁶ However, Te Puni Kōkiri’s Chief Executive, Michelle Hippolite, acknowledged that demand for house repair services had increased substantially. Some of the houses needing repairs had been built with papakāinga loans taken up in the late 1980s to early 1990s (see Chapter Five).³³⁷ In addition, Amy Diamond, Te Puni Kōkiri Communications Advisor, stated:

³³² Kāinga Ora, ‘Forgiving Housing Innovation Fund Suspensory Loans and Grants’, 24 December 2019, <https://kaingaora.govt.nz/working-with-us/forgiving-housing-innovation-fund-suspensory-loans-and-grants/> (accessed 9 December 2022)

³³³ Kāinga Ora, ‘Te Pūrongo ā-Tau - Annual report, 2020-2021’, 2021, p. 165

³³⁴ Kāinga Ora, ‘Te Pūrongo ā-Tau - Annual report, 2020-2021’, p. 176

³³⁵ Government press release, Ururoa Flavell, ‘Māori Housing Network to build on Māori housing success’, 4 October 2015, www.beehive.govt.nz/release/m%C4%81ori-housing-network-build-m%C4%81ori-housing-success (accessed 17 January 2022)

³³⁶ Trans Tasman Media Ltd, ‘New Zealand Government Departments - People And policy - An analysis of the inner workings of the NZ bureaucracy. A Trans Tasman Briefing Review. 2017 Edition’, 2017, p. 97

³³⁷ Diamond, ‘Māori Housing Network’, p. 62

Māori Housing Network staff have learnt that houses built with ‘Papakāinga Loans’ from the then Housing Corporation of New Zealand in the early 1990s fell into a supervisory vacuum as the Housing Corporation was being wound up – it used to have its own staff that inspected houses that were being built but this ceased when Housing New Zealand was established and government lending programmes ended. Some houses in this category needed repair because they were never finished to modern Code Compliance standards.³³⁸

In response, the Minister for Māori Development, Te Ururoa Flavell, agreed to increase resourcing in this area and announced a \$3.1 million increase in funding for the Network (taking its funding to a total of \$17.6 million a year).³³⁹ Even with this increase in funding, the Network was oversubscribed in the 2016/2017 financial year by the demand for housing repairs, infrastructure, and papakāinga development. In addition to funding, the Minister described the components of the success of the Māori Housing Network in his address to the 2016 National Māori Housing Conference:

The success of the MHN depends on its ability to develop close relationships and work effectively in partnership with other stakeholders that have a role in influencing Māori housing outcomes, including whānau, hapū and iwi Māori, other central government agencies, local authorities and Māori housing providers. The MHN intends to strengthen the Government’s relationship with Māori by using a whānau-centred approach, essential to investment in Māori investment.³⁴⁰

In its first two years of operation, beginning October 2015 through to June 2017, nearly \$40.7 million was invested by the Network in 158 projects (Table 6.9). Nearly half of the funding allocated (48 per cent or \$19.4 million) was for housing supply (papakāinga development and infrastructure support).³⁴¹ This funding contributed to the building of 63 affordable dwellings (11 of which were completed by the end of June 2017 with the remainder due for completion by the end of June 2018) and the infrastructure support for 182 dwellings.³⁴² By 30 June 2022, 159 homes that were funded through the Māori Housing Network had been completed.³⁴³ Funding was only provided for affordable rental

³³⁸ Diamond, ‘Māori Housing Network’, p. 62

³³⁹ Trans Tasman Media Ltd, ‘New Zealand Government Departments - People And policy - An analysis of the inner workings of the NZ bureaucracy. A Trans Tasman Briefing Review. 2017 Edition’, 2017, p. 97; Te Puni Kōkiri, ‘\$12.6 million boost for Māori Housing Network’, 12 May 2016, www.tpk.govt.nz/en/mo-te-puni-kokiri/our-stories-and-media/126-million-boost-for-maori-housing-network (accessed 12 January 2023)

³⁴⁰ Centre for Social Impact, ‘National Māori Housing Conference 2016’, p. 18

³⁴¹ Sally Duckworth, Anna Thompson, Chelsea Grootveld, Timoti Brown, and Maria Marama, ‘Impact evaluation of the Māori Housing Network’, Wellington: Litmus, 2018, p. 6

³⁴² Duckworth, Thompson, Grootveld, Brown, and Marama, ‘Impact evaluation of the Māori Housing Network’, p. 9

³⁴³ Te Puni Kōkiri, Personal Communication, 23 February 2023

housing on papakāinga, and not for owner-occupied housing (although infrastructure support included owner-occupied housing).³⁴⁴

Table 6.9: Māori Housing Network investment by focus area October 2015 to June 2017, Duckworth, Thompson, Grootveld, Brown, and Marama, 'Impact evaluation of the Māori Housing Network', p.

6

Focus area	Number of projects	Total funding	Funding as percentage of total
Supply	42	\$19,419,239	48
Quality	60	\$13,622,632	33
Emergency Housing	15	\$3,982,742	10
Capability	43	\$3,645,186	9
Total	158	\$40,669,799	100

Te Puni Kōkiri used the New Zealand Deprivation Index 2013 (NZDEP) to inform where the Māori Housing Network invested. The high housing deprivation in Tai Tokerau led to just over a third of the Network's funding in its first two years (34 per cent or approximately \$14 million) being invested in that region. Tai Tokerau received more funding than other regions for increasing housing supply, improving housing quality, and strengthening housing capability, including \$6,924,127 (or 36 per cent of the supply funding) across five papakāinga developments (see Table 6.10).³⁴⁵

Table 6.10: Māori Housing Network investment in housing Supply projects October 2015 to June 2017, Duckworth, Thompson, Grootveld, Brown, and Marama, 'Impact evaluation of the Māori Housing Network', p.

10

Location	Number of projects	Funding	Average funding per project	Funding as percentage of total
Te Tai Tokerau	5	\$6,924,127	\$1,384,825	36
Ikaroa-Rāwhiti	8	\$5,168,241	\$646,030	27
Te Tai Hauāuru	11	\$3,415,009	\$310,455	18
Waikato-Waiariki	16	\$2,138,983	\$133,686	11
Te Waipounamu	1	\$1,547,879	\$1,547,879	8
Tāmaki Makaurau	1	\$225,000	\$225,000	1
Total	42	\$19,419,239	\$968,329	100

³⁴⁴ Duckworth, Thompson, Grootveld, Brown, and Marama, 'Impact evaluation of the Māori Housing Network', pp. 9-10

³⁴⁵ Duckworth, Thompson, Grootveld, Brown, and Marama, 'Impact evaluation of the Māori Housing Network', p. 7

The Capability grants made up nine per cent of the Māori Housing Networks investment portfolio in 2015–2017. These grants supported the outcomes from other grants made by, for example, supporting whānau to plan for their papakāinga. Forty-three capability building projects had been funded in 2015–2017. These projects had included 86 initiatives (including workshops) to increase the housing knowledge of whānau, including papakāinga development, and 14 papakāinga feasibility studies.³⁴⁶

In order to prioritise the reduction of Māori housing deprivation, Māori Housing Network staff worked with whānau, hapū and iwi, and shared information with other local and national organisations and agencies (including the Ministry of Social Development and the Housing New Zealand Corporation). Their work was recognised by whānau and rūpū who felt that Te Puni Kōkiri staff engaged in respectful and culturally responsive relationships with them, understood their housing aspirations, and genuinely wanted to them to succeed.³⁴⁷ In 2018, an impact evaluation was conducted of the first two years of the Māori Housing Network’s operation, from October 2015 to the end of June 2017. The evaluators concluded:

The Network contributed to improving whānau wellbeing. The grants strengthened connections to whakapapa, whānau and whenua, restored whānau pride and self-esteem, built capability, and improved whānau health and wellbeing. The grants also opened possibilities for future housing development and other opportunities to enhance whānau wellbeing.³⁴⁸

The evaluators identified four areas of improvement for the Network, including improving the time taken to process grants (while also recognising that sometimes delays were due to gaps in the information that was provided by whānau and rūpū), strengthening building expertise input into grant assessment; creation of planning and implementation templates for whānau to use, and clarification of the scope and criteria of grants. By late 2017, Te Puni Kōkiri had developed templates and revised its operational guidelines to improve the clarity and quality of information.³⁴⁹

In 2019, Amy Diamond (communications advisor, Te Puni Kōkiri National Office) described the Māori Housing Network ‘as one of the New Zealand Government’s key priorities to improving housing’, having helped nearly 400 whānau and individuals in the four years following its launch. By 2019, more than \$110 million had been invested in capability strengthening (home maintenance, finances, and home

³⁴⁶ Duckworth, Thompson, Grootveld, Brown, and Marama, ‘Impact evaluation of the Māori Housing Network’, pp. 23–24

³⁴⁷ Duckworth, Thompson, Grootveld, Brown, and Marama, ‘Impact evaluation of the Māori Housing Network’, p. 26

³⁴⁸ Duckworth, Thompson, Grootveld, Brown, and Marama, ‘Impact evaluation of the Māori Housing Network’, p. 4

³⁴⁹ Duckworth, Thompson, Grootveld, Brown, and Marama, ‘Impact evaluation of the Māori Housing Network’, p. 27

ownership), papakāinga feasibility and infrastructure, housing repairs and new home builds. In 2019-20 more than \$36 million was allocated to the Network. In 2019, the goal of the Māori Housing Network was ‘to help whānau Māori live in safe, secure and healthy homes’, with activities focusing on house repairs, papakāinga development and building whānau, hapū, iwi and rūpū capabilities.³⁵⁰ The funding provided for this, however, fell well short of being able to fully respond to the 9,600 homes in need of repair or replacement identified in 2011.³⁵¹ It was estimated that \$205 million was needed for Northland alone.³⁵²

Other housing work was also being undertaken by Te Puni Kōkiri, in collaboration with other government agencies. For example, in its 2017/2018 Annual Report, Housing New Zealand described its partnership with Ngā Hau e Whā, the country’s only national urban marae, in Christchurch, and Housing New Zealand’s contribution to the building of six three-bedroom houses on the grounds of this marae. The \$3.097 million cost for the houses had shared between Te Puni Kōkiri, the Rātā Foundation and Housing New Zealand, in what Housing New Zealand described its first Te Waipounamu (South Island) marae-based housing development ‘in years’. The houses and on-site wrap-around social services were intended to provide people with transitional support.³⁵³

Te Ara Mauwhare

Te Ara Mauwhare was first approved under Budget 2017 to address the low rate of home ownership by whānau Māori. An allocation of \$9 million over three years to June 2020 (later extended to 30 June 2022) was appropriated to Te Puni Kōkiri, working alongside Housing New Zealand.³⁵⁴ Te Ara Mauwhare co-invested with iwi and Māori organisations to trial Progressive Home Ownership models to support very low- to median-income whānau into home ownership. In late 2018, former Māori Party co-leader Marama Fox criticised the progress of Te Ara Mauwhare, saying that it was ‘a shadow of what she and former co-leader Te Ururoa Flavell initiated’. Fox added that Nanaia Mahuta (Minister of Local Government and Māori Development at this time) ‘needs to do more to leverage policies like

³⁵⁰ Diamond, ‘Māori Housing Network’, p. 61

³⁵¹ New Zealand Productivity Commission, *Housing Affordability Inquiry*, p. 243

³⁵² Kay Saville-Smith, Nick Brunsdon and Vicki White, ‘Māori housing need, stock, and regional population change in Te Tai Tokerau. Dwelling Condition Te Tai Tokerau Component 4’, Report prepared for Te Puni Kōkiri, Ministry of Social Development and Housing New Zealand, 2018

³⁵³ Housing New Zealand, ‘2017/18 Annual Report’, 2018, p. 48

³⁵⁴ ‘Budget 2017: \$27m for marae and Māori housing’, 8 May 2017, www.beehive.govt.nz/release/budget-2017-27m-marae-and-m%C4%81ori-housing (accessed 8 December 2022); R & K Consultants Limited for Te Puni Kōkiri, ‘Te Ara Mauwhare Pathways to Home Ownership Trials Summative Evaluation’, June 2021, p. 10

Working for Families, accommodation supplement, [and the] income-related rent subsidy that [are] only paying the mortgage for someone else'.³⁵⁵

The only support underpinning Te Ara Mauwhare was a programme called Sorted Kāinga Ora, which was developed by Te Puni Kōkiri and Te Ara Ahunga Ora (formerly the Commission for Financial Capability) to work alongside projects supported by the Māori Housing Network. Sorted Kāinga Ora is a programme of workshops to help whānau decide whether they are ready for home ownership and to build their financial capability so they can achieve their housing aspirations. The programme, eight workshops followed by a navigation period to support whānau to develop and implement their plans, has been delivered by rōpū contracted by Te Puni Kōkiri using facilitators trained by Te Ara Ahunga Ora.³⁵⁶

For their Te Ara Mauwhare contract, He Korowai Trust selected eight whānau for a three-year trial that began in 2019. The Trust's initiative could be described as the only one of six initiatives trialled to be on Māori freehold land (that the Trust had purchased).³⁵⁷ The Port Nicholson Block Settlement Trust in Wainuiomata and Ka Ururoa Housing Trust in Taranaki planned to build houses on land acquired through Treaty settlement.³⁵⁸ The experience of He Korowai Trust is described here.

In 2016, He Korowai Trust moved state houses from Glen Innes that were destined for demolition to Kaitiāia and converted them into communal Māori ownership at the Whareora Papakāinga. Residents were provided with access to free medical care, free early childhood education, free budgeting advice from specialists as well as several on-site NZQA accredited programmes; livestock and a māra kai (garden) provide whānau with eggs, meat, vegetables, and milk.³⁵⁹ In 2016, these homes were amongst the cheapest in the country at \$130,000 each.³⁶⁰ One of the new homeowners, Rosalina Reihana, told the media in 2016 that 'I got the keys to my home, it's still a little bit surreal actually. I think once everything is in place and put together, I think it will really hit me but I'm really ecstatic at the moment

³⁵⁵ Mānia Clarke-Mamanu, 'Fox wants Te Ara Mauwhare initiative ramped up', *Te Ao Māori News*, 15 November 2018, www.teaomaori.news/fox-wants-te-ara-mauwhare-initiative-ramped (accessed 13 December 2022)

³⁵⁶ 'Major funding boost for Māori community repairs', 13 November 2018, www.beehive.govt.nz/release/major-funding-boost-m%C4%81ori-community-repairs (accessed 13 December 2022); R & K Consultants Limited for Te Puni Kōkiri, 'Te Ara Mauwhare Pathways to Home Ownership Trials Summative Evaluation', June 2021, p. 10; Te Puni Kōkiri, 'Sorted Kāinga Ora and other capability building support', 1 December 2022, www.tpk.govt.nz/en/nga-putea-me-nga-ratonga/maori-housing-support/sorted-kainga-ora-and-other-capability-building (accessed 8 December 2022)

³⁵⁷ R & K Consultants, 'Te Ara Mauwhare - Pathways to Home Ownership Trials. Summative evaluation', p. 15

³⁵⁸ R & K Consultants, 'Te Ara Mauwhare - Pathways to Home Ownership Trials. Summative evaluation', p. 40

³⁵⁹ '\$27 million allocated to marae and Māori housing', 27 May 2017, www.teaomaori.news/27-million-allocated-marae-and-maori-housing (accessed 8 December 2022)

³⁶⁰ Dean Nathan, 'Kaitiāia homeowners to move into Papakāinga homes', 16 June 2016, www.teaomaori.news/kaitiaia-homeowners-move-papakanga-homes (accessed 8 December 2022)

... I own it yeah, it's mine forever!'.³⁶¹ In 2019, He Korowai Trust received funding for a Te Ara Mauwhare trial. Eight whānau each entered into a covenant with the Trust to purchase a fully furnished home (for \$178,000 through a rent-to-own arrangement), with a perpetual licence to occupy the land the house was on.³⁶² Whānau rented their homes during the trial, with He Korowai Trust providing intense, wrap-around support to help them achieve their goals and remain in the papakāinga. By the beginning of 2021, however, the evaluators found that three of the eight whānau were looking to move out. One was moving for work, one to live on papakāinga land elsewhere, and one had personal issues. As a Trust staff member said: 'We try to do everything we can to support these whānau. Hui with them every week on their plans, but at the end of the day, it is their personal choice what they want to do'.³⁶³

A 2021 Te Puni Kōkiri-commissioned evaluation report of Te Ara Mauwhare found:

Te Ara Mauwhare has been a success. Although some participants are yet to see the homes, we have evidenced the achievement of positive outcomes for whānau and Māori organisations. These outcomes include securing employment, building of quality homes, increased whānau confidence, increased motivation, and increased financial literacy.³⁶⁴

The summative evaluation of the programme stated an expectation that 68 to 73 homes would be completed during 2022.³⁶⁵ In March 2023, Te Puni Kōkiri confirmed that 21 homes had been completed, with a further 48 homes due for completion by the end of 2023.³⁶⁶ The summative evaluation also highlighted the importance of provider flexibility in tailoring a homeownership model to the whānau, once the provider had developed an understanding of their budgets, finances, and progress against agreed milestones. This meant that some whānau, for example, shifted from a shared equity/shared ownership model to a rent-to-own ownership model.³⁶⁷

Whānau-Centred Community Development Projects

In 2018, Te Puni Kōkiri received an allocation of \$15 million, which it used to fund whānau-centred community development projects in Tākou Bay (Whaingaroa), Papakura (Papakura Marae), Kaingaroa, Raupunga, Taumarunui, and Ōtautahi, to enable communities to meet their priority housing needs (see Table 6.11 below).³⁶⁸ This one-off funding was described in its Māori Housing Investment Strategy

³⁶¹ Nathan, 'Kaitiaia homeowners to move into Papakāinga homes'

³⁶² R & K Consultants, 'Te Ara Mauwhare - Pathways to Home Ownership Trials', p. 16

³⁶³ R & K Consultants, 'Te Ara Mauwhare - Pathways to Home Ownership Trials', p. 17

³⁶⁴ R & K Consultants, 'Te Ara Mauwhare Pathways to Home Ownership Trials', p. 56

³⁶⁵ R & K Consultants, 'Te Ara Mauwhare - Pathways to Home Ownership Trials', p. 6

³⁶⁶ Te Puni Kōkiri, Personal Communication, 23 February 2023

³⁶⁷ R & K Consultants, 'Te Ara Mauwhare - Pathways to Home Ownership Trials', p. 7

³⁶⁸ Smith, Edwards, Bennett, Paipa, Kelly, and Pipi, 'Whānau and community development through housing - Formative evaluation report', p. 3

2018–19 to 2020–21 as ‘ring-fenced funding with a focus on taking a whānau-led community development approach to Māori housing’.³⁶⁹

Table 6.11: Investment in Whānau and Community Development Through Housing³⁷⁰

Community	Initiative	Funding
Taumarunui	Whānau house repairs, social housing development, capability building, engagement in the community and financial capability workshops	\$2,140,000
Tākou Bay	Papakāinga development, whānau house repairs, capability building, engagement in the community, financial capability workshops	\$2,310,000
Papakura Marae	Four kaumātua units on Papakura Marae	\$1,000,000
Kaingaroa	Whānau house assessments, repairs, upgrade and repair of infrastructure, social housing, engagement in the community, financial capability workshops, capability and capacity building	\$1,835,000
Raupunga	Five home papakāinga on whānau-owned whenua, housing assessments and repairs, community repair workshops and Kāinga Ora workshops	\$1,365,000
Ōtautahi	Six new builds, 60 whānau house assessments, 35 whānau house repairs, three home maintenance workshops, one Sorted Kāinga Ora workshop and one 10-year maintenance planning workshop	\$3,772,000

The community development framing was based on Sir Mason Durie’s work, especially the idea that there are ‘three foundations that contribute to the mauri of a kāinga – *whānau*, *whanaungatanga* and *whenua*’. The implication is that

the mauri of kāinga is mirrored by the way whānau communicate with one each other, care for children and older whānau members and respect visitors. It is a function of the design of the whare, the nature of its link to land and the environment, and to the provision of communal spaces. The mauri of a kāinga is sensed by family members, and forms part of their own sense of wellness.³⁷¹

The community development approach also included a focus on sustainable development, strengthening of community and whānau capacity, job and enterprise creation, improved health for whānau, and support for intergenerational wellbeing (see Figure 6.7 below).³⁷²

³⁶⁹ Te Puni Kōkiri, ‘Māori Housing Investment Strategy 2018-19 to 2020-21’, 2019, p. 7

³⁷⁰ Smith, Edwards, Bennett, Paipa, Kelly, and Pipi, ‘Whānau and community development through housing - Formative evaluation report’, p. 13, Table Two

³⁷¹ Mason Durie, ‘Te Āhua o te Kāinga Shaping the House. Te Puni Kōkiri Māori Housing Network Seminar October 2019’, October 2019, p. 10

³⁷² Smith, Edwards, Bennett, Paipa, Kelly, and Pipi, ‘Whānau and community development through housing: Formative evaluation report’, p. 3

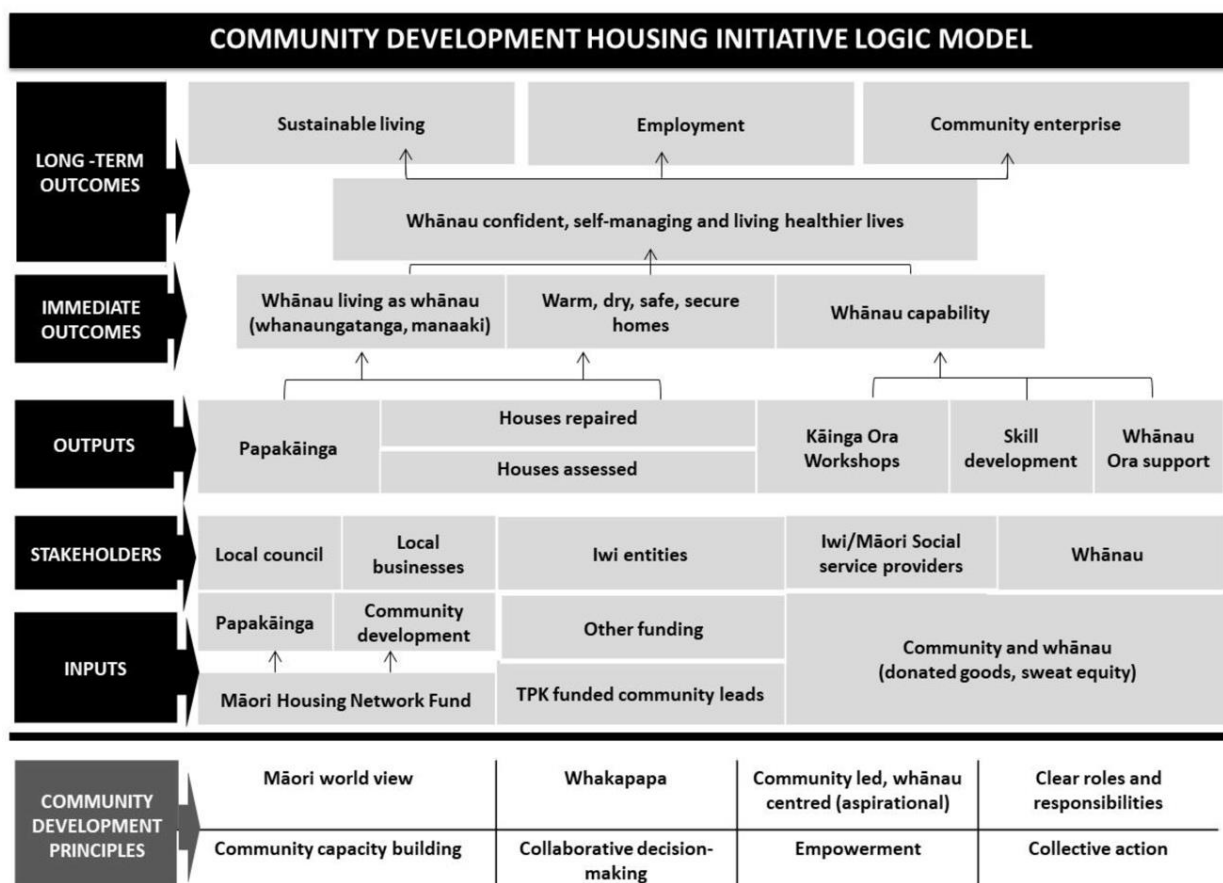


Figure 6.7: Community Development Housing Initiative Logic Model,
Smith, Edwards, Bennett, Paipa, Kelly, and Pipi, ‘Whānau and community development through housing:
Formative evaluation report’ p. 5

The formative evaluation highlighted the elements that needed to be in place for the initiatives to work well. These elements included leadership, authentic relationships, information sharing and communication, collaborative decision-making, having an integrated or holistic approach, and tino rangatiratanga.³⁷³ Of these essential elements, only collaborative decision-making was mentioned as a community development principle in the bottom rows of Figure 6.7. The evaluation findings indicated that the other elements – leadership, authentic relationships, information sharing and communication, tino rangatiratanga and a holistic approach – should be added to expand knowledge of the foundations of Māori community development.

The formative evaluation identified that challenges faced by communities included poor housing quality (making essential repair work extensive and outside the scope of the funding provided), ineligibility of

³⁷³ Smith, Edwards, Bennett, Paipa, Kelly, and Pipi, ‘Whānau and community development through housing - Formative evaluation report’, pp. 16-18

whānau for home loans, lack of shared housing aspirations in communities (leading to a lack of maintenance or intentional damage to housing supplied), structural bias combined with whānau distrust of the system, and the length of time needed to fully integrate a community development approach.³⁷⁴ Overall, the evaluation highlighted the extent of investment needed to support Māori community development so that the challenges identified can be overcome and the elements of Māori community development that were identified can be fully implemented.

In their 2020 summative evaluation report, the evaluators noted that the six communities were still in the process of implementing their housing initiatives after being waylaid by the Covid-19 lockdown in early 2020.³⁷⁵ While the majority of housing assessments and two-thirds of housing repairs had been completed, two-thirds of the new builds were still in progress (see Table 6.12).³⁷⁶ The evaluators concluded that there was strong evidence that whānau mental and physical health improved, and that they experienced improved safety and security, restored pride of place and confidence, and an increased connection to the whenua when their homes had been repaired.³⁷⁷ The evaluators identified two common aspects of the initiatives that were important to their sustainability: community and whānau capability building, and local decision-making.³⁷⁸

The evaluators developed the essential elements identified in the formative evaluation (see above) into Kaupapa Māori community development principles:³⁷⁹

- a. Whakapapa (Understanding the community)
- b. Whakamana (Recognising and valuing community strengths and resources)
- c. Whanaungatanga (Fostering connections)
- d. Rangatiratanga (Local leadership)
- e. Mahi ngātahi (Adaption, flexibility, and reflection)
- f. Te oranga o te whānau (Creating the conditions that support whānau wellbeing).

³⁷⁴ Smith, Edwards, Bennett, Paipa, Kelly, and Pipi, 'Whānau and community development through housing - Formative evaluation report', pp. 18-20

³⁷⁵ Smith, Edwards, Bennett, Paipa, Kelly, and Pipi, 'Whānau and community development through housing - Summative evaluation report', p. 6

³⁷⁶ Smith, Edwards, Bennett, Paipa, Kelly, and Pipi, 'Whānau and community development through housing - Summative evaluation report', p. 15

³⁷⁷ Smith, Edwards, Bennett, Paipa, Kelly, and Pipi, 'Whānau and community development through housing - Summative evaluation report', p. 9

³⁷⁸ Smith, Edwards, Bennett, Paipa, Kelly, and Pipi, 'Whānau and community development through housing - Summative evaluation report', p. 7

³⁷⁹ Smith, Edwards, Bennett, Paipa, Kelly, and Pipi, 'Whānau and community development through housing - Summative evaluation report', p. 20

Table 6.12: Housing initiatives completed and still in progress by 31 July 2020, Roxanne Smith, Shane Edwards, Colin Hemana Bennett, Kirimato Paipa, Miromiro Kelly and Kataraina Pipi, 'Whānau and community development through housing - Summative evaluation report', 2020, p. 15

Community	Housing assessments completed	Housing repairs completed	Housing repairs in progress	New builds completed	New builds in progress	Home maintenance workshops	Sorted Kāinga Ora
Kaingaroa	103/103	46/88 Phase 1	42/88 Phase 2	0	0	0	0
Taumarunui Te Kuiti	20/20	21/20	n/z	5/5	n/a	20/20	1/1
Raupunga	20/22	0/22	22/22	2/5	2/5	0/2	0
Papakura	0	0	0	0/4	4/4	0	0
Ōtautahi	60/60	33/37	4/4	0.6	6/6	0/2	0
Tākou Bay	7/7	7/7	0	2/6	4/6	0	6/6
Total	201/212	107/174	68/114	9/26	16/21	20/24	7/7

They also concluded their report by emphasizing that,

Realising community aspirations utilising a community development approach is slow burning, at times challenging, and the real impact may not be evident for years... However, it is expected that the end results will be enduring, sustainable, and transform communities and the lives of future generations living in those communities.³⁸⁰

Whenua Māori Programme

As part of the review of Te Ture Whenua Māori Act, the Whenua Māori Programme was established in May 2019 to assist the trustees and owners of Māori freehold land to investigate the development potential of their whenua. While not directly a housing initiative, the Whenua Māori Programme helps ensure the retention of Māori land as well as an economic return from it. This can provide Māori with the financial security they need to remain and establish housing on their land.³⁸¹

In the 2019 Budget, the Crown allocated \$56.1 million over four years for the implementation of the Whenua Māori programme. A goal of the programme was to improve economic returns from that land

³⁸⁰ Smith, Edwards, Bennett, Paipa, Kelly, and Pipi, 'Whānau and community development through housing - Summative evaluation report', p. 43

³⁸¹ Fleur Palmer, *Māori and affordable housing. Submission DR098, Productivity Commissioner Inquiry into Affordable Housing*, Wellington: Productivity Commissioner, 2012, p. 2; Kawharu, 'Pacific commentary - The Prichard-Waetford Inquiry into Māori Land', pp. 205-206; Jade Kake, 'Ngā Uri o Te Aurere Pou Whānau Trust Papakāinga, Mangakāhia', p.148

that could, in turn, deliver cultural and social benefits for Māori.³⁸² This included the promotion of ‘the use of Māori land by its owners for housing’.³⁸³ The funding allocated was

to enable regional on-the-ground advisory services to Māori landowners, the creation of a Whenua Knowledge Hub and website; new and enhanced services for the Māori Land Court; the modernisation of the Māori Land Court information systems and support for legislative amendments to TTWM Act.³⁸⁴

Nanaia Mahuta, the Minister for Māori Development, said that the Whenua Māori Programme would ‘support whānau to achieve their aspirations for whenua Māori’ and that ‘the approach taken by the Government seeks to ensure that the protection of Māori land as a taonga tuku iho remains paramount’.³⁸⁵ Te Puni Kōkiri and the Ministry of Justice co-led the fund, which Te Puni Kōkiri described as supporting ‘whenua Māori based economic, cultural, social and environmental projects which help strengthen whānau, communities, regions and the New Zealand economy’.³⁸⁶ In its first year, the programme proposed legislative changes to Te Ture Whenua Māori Act 1993 to provide greater support for Māori landowners, access to extensive land capability information, and more access to equity finance.³⁸⁷

The Fund has supported a range of projects since its inception, including forestry, horticulture, tourism, power production, honey production, farming, and the development and implementation of plans to make unproductive land more productive.³⁸⁸

Progressive Home Ownership

Te Tūāpapa Kura Kāinga – Ministry of Housing and Urban Development delivers a \$400 million Progressive Home Ownership (PHO) fund, which was launched in 2020.³⁸⁹ The Progressive Home Ownership fund provides two pathways to home ownership – an organisational pathway and an

³⁸² Nanaia Mahuta, ‘Whānau development through whenua: Rating matters’, Memo to the Office of the Minister of Local Government, Office of te Minita Whanaketanga Māori, and Chair, Māori Crown Relations: Te Arawhiti Committee, 12 February 2020, p. 3

³⁸³ Mahuta, ‘Whānau development through whenua: Rating matters’, p. 9

³⁸⁴ Mahuta, ‘Whānau development through whenua: Rating matters’, p. 3

³⁸⁵ Te Puni Kōkiri, ‘Whenua Māori Programme: Targeted amendments to Te Ture Whenua Maori Act 1993’, October 2019, p. 1

³⁸⁶ Te Puni Kōkiri, ‘Whenua Māori Fund’, 31 August 2022, www.tpk.govt.nz/en/nga-putea-me-nga-ratonga/whenua-maori/whenua-maori-fund (accessed 6 December 2022)

³⁸⁷ Andrew Little, ‘Delivering for Māori and whenua’, 24 May 2019, www.beehive.govt.nz/release/delivering-m%C4%81ori-and-whenua (accessed 8 December 2022)

³⁸⁸ Te Puni Kōkiri, ‘Project overviews’, Te Puni Kōkiri, 4 July 2022 www.tpk.govt.nz/en/nga-putea-me-nga-ratonga/whenua-maori/whenua-maori-fund/project-overviews (accessed 25 January 2023)

³⁸⁹ Megan Woods, ‘More progressive home ownership opportunities for first home buyers’, www.beehive.govt.nz/release/more-progressive-home-ownership-opportunities-first-home-buyers (accessed 10 January 2023)

individual pathway. Organisations that are approved as Progressive Home Ownership providers receive a 15-year interest free loan. These providers can then use this funding to support low-to-median income households, first home buyers having difficulty raising a deposit, and/or median (or higher) income households that are unable to service a commercial mortgage for homeownership. This support is offered by way of rent-to-buy, shared equity, and/or leasehold agreements.³⁹⁰

The First Home Partner pathway within Progressive Home Ownership enables individual first home buyers to apply directly to Kāinga Ora for home ownership support, with Kāinga Ora taking an equity share in a house. This pathway is described as suitable for first home buyers whose deposit and home loan are not enough to purchase a suitable home. Kāinga Ora contributes either 25 per cent or \$200,000 – whichever is the lower amount.³⁹¹

Funding support through Te Au Taketake (the pathway for Māori and iwi organisations to access the Progressive Homeownership Fund) is also available for Māori and iwi organisations to develop or expand their progressive home ownership programmes. Te Tūāpapa Kura Kāinga states that, ‘We will work with iwi and Māori organisations through Te MAIHI o te Whare Māori the Māori and iwi Housing Innovation (MAIHI) Framework for Action to enable them to support more whānau Māori into home ownership’.³⁹² Te Runanga o Ngāi Tahu and Manawa PHO Ltd were approved progressive home ownership providers at the end of 2021.³⁹³ A case study of Ngā Pōtiki and Manawa PHO Ltd is included at the end of this chapter.

Whai Kāinga Whai Oranga

Funding (from Vote Housing and Urban Development and Māori Development Budgets) announced in Budget 2021 was combined with \$350 million from the Māori Infrastructure Fund to fund the new Whai Kāinga Whai Oranga programme to the tune of \$730 million over four years. The Associate Housing Minister, Peeni Henare, was reported as saying that the programme will allow for 1000 new houses to be built and 700 existing homes to be repaired.³⁹⁴ In addition, Henare stated, ‘Māori were clear that they wanted the government to create space for Māori-led local solutions - especially when it came to

³⁹⁰ Te Tūāpapa Kura Kāinga, ‘Progressive Home Ownership Fund’, www.hud.govt.nz/our-work/progressive-home-ownership-fund/ (accessed 13 December 2022)

³⁹¹ Kāinga Ora, ‘First Home Partner’, <https://kaingaora.govt.nz/home-ownership/first-home-partner/> (accessed 10 January 2022)

³⁹² Te Tūāpapa Kura Kāinga, ‘Progressive Home Ownership Fund’

³⁹³ Te Tūāpapa Kura Kāinga, ‘Progressive Home Ownership Fund’

³⁹⁴ Kake, ‘Budget 2021 gives welcome boost to Māori housing’; Also see Te Puni Kōkiri, ‘What has been delivered: Te Puni Kōkiri Māori housing investments’, 23 September 2022, www.tpk.govt.nz/en/nga-putea-me-nga-ratonga/maori-housing-support/what-funding-is-available (accessed 8 December 2022)

delivering housing at scale'.³⁹⁵ A portion of the fund, \$30 million, was also for building iwi and Māori capability.³⁹⁶ According to Kake's calculations, this fund represented a more than tripling of the 2020/21 budget for Māori housing.³⁹⁷

Whai Kāinga Whai Oranga is administered by Te Puni Kōkiri and Te Tūāpapa Kura Kāinga (the Ministry for Housing and Urban Development). Out of this allocation, \$138.6 million was tagged for papakāinga, small-scale housing, and whare repairs. Te Tūāpapa Kura Kāinga administers \$241.4 million, which includes Māori housing sector capability funding, as well as funding for larger scale Māori housing projects. Another \$350 million has been allocated to develop the infrastructure to support Māori and iwi providers to build homes for whānau Māori. The aspiration is to build the 1,000 additional houses (including papakāinga housing and houses on general title land) in partnership with iwi and Māori throughout Aotearoa, and to repair whānau-owned homes in areas of high housing need. However, the projected housing repair need in Te Taitokerau alone strongly suggests that this aspiration should be considered phase 1 of a much longer-term commitment to funding Māori housing.³⁹⁸

In summary, a number of individual and organisational programmes have continued or become available throughout this time period. The initial small funding linked with the 2014 Māori housing strategy has grown exponentially. The funding is for house repairs and renovation, papakāinga infrastructure and house building, and more generally delivering housing for Māori.

6.6. What were the impacts for Māori of Crown housing legislation and policies?

When Māori landowners have been successful in establishing papakāinga housing on their land, the benefits have been wide-ranging. For example, delegates at the 2016 National Māori Housing Conference listed the following benefits:

- People [are connected] back to their marae and land, [with this enabling] spiritual connection to the whenua and culture.
- Improved health/wellbeing for kaumātua and tamariki [because] papakāinga housing is warm, safe, good quality, and affordable inter-generational housing.
- Flourishing communities [are built] on shared values and whanaungatanga.

³⁹⁵ 'Whai Kāinga Govt programme to help iwi build 1000 new homes', 14 October 2021, Radio New Zealand, www.rnz.co.nz/news/national/453522/whai-kainga-govt-programme-to-help-iwi-build-1000-new-homes (accessed 15 January 2023)

³⁹⁶ Kake, 'Budget 2021 gives welcome boost to Māori housing'

³⁹⁷ Kake, 'Budget 2021 gives welcome boost to Māori housing'

³⁹⁸ Kay Saville-Smith, Nick Brunsdon and Vicki White, 'Māori housing need, stock, and regional population change in Te Tai Tokerau. Dwelling Condition Te Tai Tokerau Component 4', Report prepared for Te Puni Kōkiri, Ministry of Social Development and Housing New Zealand, 2018

- Transformation and rejuvenation of marae; ‘Paepae is alive’.
- Housing projects [are leveraged] to other ventures: employment and training, further investment in housing, further financial investments, and the establishment and support of Māori businesses.
- [Establishment of] māra kai (community gardens).³⁹⁹

In 2017, evaluators found that the Māori Housing Network ‘exceeded the targets outlined in the Network’s Investment Plan 2016-17’ and thereby:

- Increased the number of whānau living in safer, warmer, drier and healthier homes
- Improved the infrastructure for building new homes
- Supported whānau to move into secure housing⁴⁰⁰

This included increased housing supply on Māori land, particularly in Ikaroa-Rāwhiti and Tai Tokerau.⁴⁰¹ In addition, and perhaps fundamental to the success of the Network, whānau and rūpū said that their housing vision was shared by Te Puni Kōkiri, and that staff demonstrated cultural awareness and respect and seemed to really want them to achieve their housing aspirations.⁴⁰²

Some whānau said they would have had to abandon their papakāinga dream if they had not received a grant from the Māori Housing Network, whereas for others it would have taken longer to achieve this dream if they had had to find other start-up capital and negotiate planning restrictions on their own.⁴⁰³ The majority of whānau and rūpū agreed or strongly agreed that the Network’s investment in the development of their papakāinga had helped strengthen their connection to whenua, whakapapa and whānau.⁴⁰⁴ The papakāinga achievements of whānau and rūpū had also built their capabilities and confidence, contributed to their health and wellbeing, and helped restore their pride in themselves and in their contribution to their community.⁴⁰⁵ Evaluators of Māori Housing Network also found:

³⁹⁹ Centre for Social Impact, ‘National Māori Housing Conference 2016. Report on Conference proceedings and outcomes’, p. 22

⁴⁰⁰ Duckworth, Thompson, Grootveld, Brown, and Marama, ‘Impact evaluation of the Māori Housing Network’, p. 10

⁴⁰¹ Duckworth, Thompson, Grootveld, Brown, and Marama, ‘Impact evaluation of the Māori Housing Network’, p. 4

⁴⁰² Duckworth, Thompson, Grootveld, Brown, and Marama, ‘Impact evaluation of the Māori Housing Network’, p. 26

⁴⁰³ Duckworth, Thompson, Grootveld, Brown, and Marama, ‘Impact evaluation of the Māori Housing Network’, p. 11

⁴⁰⁴ Duckworth, Thompson, Grootveld, Brown, and Marama, ‘Impact evaluation of the Māori Housing Network’, p. 11

⁴⁰⁵ Duckworth, Thompson, Grootveld, Brown, and Marama, ‘Impact evaluation of the Māori Housing Network’, p. 12

Whānau were exposed to many challenges developing papakāinga, due to the complexities of developing on multiply-owned land which was often underutilised and had limited amenities. They learned important skills to overcome these challenges, such as project management, relationship management, landscaping, building, labouring and tikanga Māori.⁴⁰⁶

In 2021, StatsNZ reported that Māori who lived in close proximity to their ancestral marae were more active kaitiaki (caretakers) of their environment. Of the Māori who knew their ancestral marae, those who lived within a 30-minute drive of it were more likely to gather kai, or materials used for rongoā (medicine) or raranga (weaving). Compared to those who lived further away, those who lived close by were also more likely to take care of the natural environment and Māori sites of importance.⁴⁰⁷ This strongly suggested that enabling Māori to live on their whenua, in close proximity to a marae they whakapapa to, had a positive impact on kaitiakitanga. Kake also argues: ‘Rebuilding our kāinga in a contemporary way has transformative implications for our political and economic systems in Aotearoa New Zealand’. The subsistence goods (including kai and harakeke) that exist in certain localities could be traded nationally and internationally, either as customary or commercial exchanges.⁴⁰⁸ While this should not necessarily be an impetus for kaitiakitanga, it may well be an outcome of it when Māori are living on their own whenua.

Kake has also written about Ngā Uri o Te Aurere Pou Whānau Trust Papakāinga, in Mangakāhia. She quoted Aroha Shelford (Ngāti Te Rino) who spoke about the vision for the papakāinga that extended beyond the provision of housing:

We’re doing a development with a holistic worldview. It was about what are people going to eat, and how are they going to be healthy, and how are we going to live in each other’s lives and tackle some of the social issues, our education and training and economic development. It’s all tied in together, and that’s what we see as a papakāinga.⁴⁰⁹

This holistic worldview is the Māori community development equivalent for papakāinga and building homes on Māori land. This also comes through in Helen Potter’s narrative about the Whare Uku being built in the papakāinga Rueben Taipari (Ngāpuhi, Te Rarawa, Ngāti Kahu, Ngāi Tūhoe) is developing with his wife Heeni Hoterene (Ngāti Hine, Ngāti Raukawa ki te Tonga, Ngāi Tahu) and their whānau. Taipari’s mother, Nana Lil, described papakāinga:

⁴⁰⁶ Duckworth, Thompson, Grootveld, Brown, and Marama, ‘Impact evaluation of the Māori Housing Network’, p. 12

⁴⁰⁷ StatsNZ, ‘Te pā harakeke: Māori housing and wellbeing 2021’, StatsNZ, 26 August 2021, www.stats.govt.nz/reports/te-pa-harakeke-maori-housing-and-wellbeing-2021 (accessed 6 September 2021)

⁴⁰⁸ Kake, *Rebuilding the Kāinga: Lessons from Te Ao Hurihuri*, pp. 123-124

⁴⁰⁹ Jade Kake, ‘Ngā Uri o Te Aurere Pou Whānau Trust Papakāinga, Mangakāhia’, pp. 137-150

It encompasses the maunga, the awa, the history, the whakapapa. A papakāinga starts from whakapapa connections and the whenua you whakapapa to. That whakapapa includes the maunga and the awa, which connects you to other whenua and other people. It makes you feel connected. It's important to climb the maunga, to fish in the awa; to know them. You start from the past – you have a pā first, a place of resources and a place of safety in terms of guardianship, and the papakāinga starts from there. Herbie's whānau settled here because this is where the resources are; a papakāinga includes all of the precious resources on your whenua. Here it's the water, the awa, tuna, watercress, land on which to grow māra kai, the bush for rongoā, the swamp and all the different manu, the beach and the fish and kaimoana, and so on. They help mesh you together because you care for them together. All these things make up a papakāinga.⁴¹⁰

This 'holistic kind of living' is also a characteristic of papakāinga planning and living in Central Auckland. James Berghan, David Goodwin, Lyn Carter, and Anahera Rawiri carried out a research project with Ngāti Whātua Ōrākei about life in Kāinga Tuatahi. According to these researchers:

Kāinga Tuatahi is unique in the homeownership model... The land is held in common ownership by the hapū, with individual homes and private areas subject to a leasehold subdivision; that is, residents own their houses but sub-lease the land for 150 years, and manage the kāinga or village themselves through a 'cuzzy corp'.⁴¹¹

Berghan, Goodwin, Carter, and Rawiri interviewed ten of the 30 whānau living in Kāinga Tuatahi about how they were settling into village life. Almost all of them described themselves as 'lucky', with their house in the village providing them with a sense of community, safety and security. The researchers concluded:

The papakāinga model transcends the physical construction of housing and realises a more holistic kind of living. It has the potential to offer transferable lessons to communal housing developments more generally. A shared history, culture and genealogy that binds residents together was an accepted principle in tribal societies, but is not evident in individualised (western) tenure and housing developments. Perhaps either whakapapa (as in the Kāinga Tuatahi case) or other shared ideals should be looked at more closely as a basis for strengthening

⁴¹⁰ Helen Potter, 'Papakāinga Whare Uku and the sustainable re-occupation of whenua', in Fiona Cram, Jessica Hutchings and Jo Smith (eds), *Kāinga tahi kāinga rua - Māori housing realities and aspirations*, Wellington: Bridget Williams Books, 2022, pp. 151-163

⁴¹¹ James Berghan, David Goodwin, Lyn Carter, and Anahera Rawiri, 'Planning for Community: The Kāinga Tuatahi Papakāinga in Central Auckland', in Fiona Cram, Jessica Hutchings and Jo Smith (eds), *Kāinga tahi kāinga rua - Māori housing realities and aspirations*, Wellington: Bridget Williams Books, 2022, p. 196

bonds between residents in other such developments, to contribute to a strong sense of community.⁴¹²

In summary, when Māori are able to be well-housed on their own land, the positive benefits extend beyond the security of housing to a sense of belonging, community and responsibility for one another and the environment. At the same time, Te Matapihi has noted that there are still barriers to papakāinga development. The backlog of papakāinga projects awaiting support via the Māori Housing Network was also seen by Te Matapihi as a clear sign that the Crown was some way from meeting Māori demand for housing on Māori land.⁴¹³

The next section provides a descriptive overview of how Ngā Pōtiki ā Tamapahore have achieved this with the help of Crown funding and support, combined with their own ingenuity and innovative thinking in service of seeing their people housed and homed.

6.7. How did Ngā Potiki seek to address the housing needs of their community?

This section describes the journey of housing provision for Ngā Pōtiki ā Tamapahore, a hapū of Ngāi te Rangi. In 1987, four one-bedroom kaumātua flats were built next to their marae at Papamoa.⁴¹⁴ By way of settlement of their historic treaty claims, Ngā Pōtiki ā Tamapahore, received a \$3 million financial settlement in December 2013.⁴¹⁵ By 2015, Mangatawa Papamoa Blocks Inc, established to retain ownership of their land holdings, had built an additional 12 two-bedroom kaumātua flats and eight Kāinga Whenua homes. In their address to the 2016 National Māori Housing Conference, Victoria Kingi, Kevin Haua, and Jay Walters described the positive outcomes of these housing projects. In addition to the provision of much needed housing, these outcomes included the rejuvenation of the marae, Puna Reo pre-school development, and whānau-run school holiday programmes.⁴¹⁶ According to Kingi, Haua, and Walters: ‘Happy, healthy whānau live in improved living conditions and the culture is being kept alive by building a stronger, sustainable community and whanaungatanga’.⁴¹⁷

By 2016, a residential housing development began to take shape on the 20-hectare Te Houhou land block returned to Ngā Pōtiki as part of their Treaty settlement. The subdivision is owned by Ngā Pōtiki

⁴¹² Berghan, Goodwin, Carter, and Rawiri, ‘Planning for Community: The Kāinga Tuatahi Papakāinga in Central Auckland’, p. 203

⁴¹³ Te Matapihi, Briefing to the Incoming Ministers of Housing and Māori Development, Te Matapihi, 2021, p. 11

⁴¹⁴ Centre for Social Impact, ‘National Māori Housing Conference 2016’, p. 19

⁴¹⁵ Te Awanuiārangi Black, ‘Tauranga Moana’, *Te Ara - the Encyclopedia of New Zealand*, <http://www.TeAra.govt.nz/en/tauranga-moana/print> (accessed 14 December 2022)

⁴¹⁶ Centre for Social Impact, ‘National Māori Housing Conference 2016’, p. 19

⁴¹⁷ Centre for Social Impact, ‘National Māori Housing Conference 2016’, p. 19

ā Tamapahore Trust and at least 30 per cent of the planned 240 houses were set aside for Ngā Pōtiki members, in recognition of their right to affordable, quality housing.⁴¹⁸ The Office of the Auditor-General described the Trust as collaborating in its developments with the Joint Agency Group for Māori Housing in the Bay of Plenty (members include the Western Bay of Plenty District Council, Tauranga City Council, the Bay of Plenty Regional Council, Te Puni Kōkiri, Waikato Maniapoto and Waiariki District Māori Land Courts).⁴¹⁹

Manawa project manager Peter Cross said it was determined to be a subdivision that ‘we all can be proud of for generations to come ... Our strict design guidelines ensure the houses are all built to the highest quality and adhere to the vision for the subdivision’.⁴²⁰ In June 2016, the Trust received around \$324,000 in Māori Housing Network funding. One of the first things the Trust accomplished was the establishment of Manawa Housing Trust, ‘the first Charitable Housing Entity in NZ to be granted a special tax status under recent Inland Revenue Legislation’. The Manawa Housing Trust also qualified as a Community Housing Provider and went on to launch the first iwi led shared equity scheme in the country, the Ngā Pōtiki/Westpac Shared Equity Homes Ownership scheme.⁴²¹

The Manawa Housing Trust’s residential subdivision, Manawa – The Heart of Pāpāmoa, was launched in November 2016. The first stage of 110 houses – 40 for Ngā Pōtiki members – was planned for 2017.⁴²² In the December 2018 issue of their newsletter, the Trust congratulated the first ten whānau to be approved through their Shared Equity Programme for the purchase of homes in the first stage of the Manawa development.⁴²³ The criteria published by the Trust in March 2019 for people wanting to apply for a house and land package included (also see Figure 6.8 below) the following:

You need to be a registered member of Ngā Pōtiki, between 25 and 50 years of age, you must be able to show you are in need of support, you must earn a minimum of \$50,000 per annum

⁴¹⁸ Ngā Pōtiki ā Tamapahore Trust, ‘Ngā Pōtiki housing expression of interest – stage 2’, 30 September 2019 *Manawa*, www.ngapotikihousing.co.nz/news; Ngā Pōtiki ā Tamapahore Trust, www.ngapotikihousing.co.nz/about.html (accessed 13 December 2022)

⁴¹⁹ Controller and Auditor-General, ‘Government planning and support for housing on Māori land. Progress in responding to the Auditor-General’s recommendations’, pp. 6-7

⁴²⁰ ‘Pāpāmoa development to create 240 new homes’, *Bay of Plenty Times*, 7 July 2017, www.nzherald.co.nz/bay-of-plenty-times/news/Papamoa-development-to-create-240-new-homes/SLGWZCCYRT2POWCFUMDBULEO2Q/ (accessed 13 December 2022)

⁴²¹ Ngā Pōtiki ā Tamapahore Trust, ‘Ngā Pōtiki housing update’, *Ngā Pōtiki Newsletter*, 12, June 2019, p. 3, https://ngapotiki.org.nz/wp-content/uploads/2020/02/NP_Newsletter_13.pdf (accessed 13 December 2022)

⁴²² ‘Affordable Pāpāmoa housing project launched’, *Bay of Plenty Times*, 29 November 2016, www.nzherald.co.nz/bay-of-plenty-times/news/affordable-Papamoa-housing-project-launched/AHE5RMMQOPTISNRBMSVAD2SE3RI/ (accessed 13 December 2022)

⁴²³ Ngā Pōtiki ā Tamapahore Trust, ‘Ngā Pōtiki housing update’, *Ngā Pōtiki Newsletter*, 11 December 2018, p. 2, https://ngapotiki.org.nz/wp-content/uploads/2020/02/NP_Newsletter_11.pdf (accessed 13 December 2022)

There are three main steps to apply for home ownership.

Step 1 - Expression of Interest

Complete the EOI and submit online. You will need to meet the following criteria:

- Be a registered member of 25 yrs to 50yrs of age;
- Earn a minimum of \$60,000 per annum gross per year
- Earn a maximum of \$85,000 for a single person; \$135,000 for a couple;
- Have \$10,000 deposit or Kiwisaver equivalent;
- Have low debt or a plan to quickly reduce your debt;
- Be a first home buyer
- Purchase a house and land package for no more than \$550,000
- Live in the house for 2 years or more
- Agree to the Ngā Pōtiki Homeownership shared equity programme that includes:
 - Entering into a shared equity arrangement with Manawa Housing Trust where you and the Trust co-own the property and co-borrow against the property in respective equity shares (this will be explained if your application under Step 3 set out below, is accepted). The idea is that over time you will buy the Trust out and own your home 100%.
 - You must repay the loan NOT the Trust.
 - If you sell you must first offer the house back to the Trust to purchase at market value.
 - Progress as a group with other members accepted under the programme, this is to create efficiencies and reduce administrative costs and where possible construction costs;
 - Attend workshops as a group that cover: financial literacy; the legal framework; Housing options from select Group Builders such as Generation Homes; GJ Gardner; Mike Greer Homes but you are not limited to those builders.
 - Attend all One on One meetings in Step 3.



Step 2 - Complete an Application

If you tick ALL of the boxes in Step 1 you are automatically invited to Step 2 to make an Application online.

In Step 2 you will need to complete a financial statement of position form with supporting documents such as evidence of your income and expenses, debt and hire purchases and upload these documents online or bring them to your interview in Step 3 set out below.

Submit the Application online. You will be notified that we have received your Application and then it will go to the Trust for approval to progress to Step 3.

It will take approximately 4 weeks from the date you submit the Application to have a decision from the Trust whether you can proceed to Step 3 or whether you have more work to do to meet the criteria.

Once you have been approved by the Trust we will contact you to start Step 3.

Step 3 - One on One engagement

This step is still part of the Application process and involves one on one engagement with our Advisory Team who are there to assist you through the process including verifying your financial position statement (making sure your financial position is correct); obtaining bank finance for you i.e. mortgage pre-approval; explaining and completing all legal documents. You need to attend the workshops under this final Step as well.

Be prepared to do a lot of work throughout steps 2 and 3. We anticipate that it will take approximately 16 to 20 weeks to work through these very action intensive steps.

After Step 3 you will start working directly with your Group Builder to obtain building consents and complete construction. The Advisory Team will offer pastoral care throughout the process as your home is being built through to obtaining code of compliance.

We ask that you be patient and wait for the website to launch the offering on 30 September before phoning the office with questions.

All information will be on the website including a Frequently Asked Questions page from 30 September.

In the meantime for general housing enquiries you can email: info@manawapapamoa.co.nz

Mangatawa Marae Update

Thanks to all who attended the AGM in February.

The whānau elected new trustees and we (the new trustees) are currently completing the required processes at the Māori Land Court.

Please keep an eye out in the future for hui around the rejuvenation of our Marae. The first hui is scheduled for 10am on 14 July at the Marae. Nau mai, haere mai.

Figure 6.8: Manawa Housing Trust's residential subdivision, Manawa – The Heart of Pāpāmoa, Ngā Pōtiki ā Tamapahore Trust, *Ngā Pōtiki Newsletter*, 12, June 2019, p. 4

(depending on your level of debt) and earn no more than \$85,000 if you are single and \$135,000 if a couple or a group of whānau wanting to build together.⁴²⁴

In October 2019, Stage 2 of the housing subdivision opened.⁴²⁵ One month later, Silence Quinn (Ngā Potiki) and her partner Corey Wheeler started living in a three-bedroom house in this subdivision. They were one of the first ten whānau to successfully apply for this shared equity scheme. Quinn stated:

So probably after a couple of months it actually kicked in ... I'm in my own home, I don't have to pay somebody else's mortgage ... We're real lucky that Ngā Pōtiki has gone out of their way to sort it out for us. You know, they made it easier ... It was time-consuming, obviously, because we were the first ones to try this scheme ... but Ngā Pōtiki helped us along the way, every step.⁴²⁶

In March 2020, the Trust announced that a second group of ten whānau had been approved to participate in the Manawa Shared Equity Scheme.⁴²⁷ In October 2020, the Minister of Housing, Megan Woods, announced that Manawa PHO Limited, the housing arm of Ngā Pōtiki, had received more government support to provide progressive home ownership opportunities. At the time Victoria Carroll, Ngā Pōtiki ā Tamapahore Trust deputy chairwoman, said: 'The Ngā Pōtiki Progressive Home Ownership (PHO) Programme will support us to expand our shared equity homeownership scheme to more than 30 Ngā Pōtiki whānau and assist them into homeownership'.⁴²⁸ Manawa PHO was the first Māori PHO (Progressive Home Ownership) Approved Provider to be listed on the Te Tūāpapa Kura Kāinga – Ministry of Housing and Urban Development website. In December 2020, Ngā Pōtiki received \$7.2m in Progressive Home Ownership funding from the Ministry of Housing and Urban Development.⁴²⁹

In June 2020, the Ngā Pōtiki ā Tamapahore Trust announced that it had received co-funding from Te Puni Kōkiri and would be building six three-bedroom rental units at Manawa. These were built and

⁴²⁴ Ngā Pōtiki ā Tamapahore Trust, 'Ngā Pōtiki home ownership in Manawa', *Ngā Pōtiki Newsletter*, 12, March 2019, p. 3, https://ngapotiki.org.nz/wp-content/uploads/2020/02/NP_Newsletter_12.pdf (accessed 13 December 2022)

⁴²⁵ Ngā Pōtiki ā Tamapahore Trust, 'Ngā Pōtiki housing expression of interest – stage 2', 30 September 2019. *Manawa*, www.ngapotikihousing.co.nz/news (accessed 13 December 2022)

⁴²⁶ Ngā Pōtiki ā Tamapahore Trust, 'Ngā Pōtiki housing update', *Ngā Pōtiki Newsletter*, 18 September 2020, p. 2, https://ngapotiki.org.nz/wp-content/uploads/2020/10/NP_Newsletter_A4_September_2020_web.pdf (accessed 13 December 2022)

⁴²⁷ Ngā Pōtiki ā Tamapahore Trust, 'Manawa update', *Ngā Pōtiki Newsletter*, 16 March 2020, p. 4, https://ngapotiki.org.nz/wp-content/uploads/2020/04/NP_Newsletter_A4_March2020_1.pdf (accessed 13 December 2022)

⁴²⁸ Bay of Plenty Times 'More homes for Pāpāmoa through progressive home ownership', *Bay of Plenty Times*, 12 October 2020, www.nzherald.co.nz/bay-of-plenty-times/news/more-homes-for-Papamoa-through-progressive-home-ownership/O3BAHQX4UVGT5FFGQS2ATHTLGY/ (accessed 13 December 2022)

⁴²⁹ Te Tūāpapa Kura Kāinga, 'Progressive Home Ownership Fund', www.hud.govt.nz/our-work/progressive-home-ownership-fund/ (accessed 13 December 2022)

opened by the end of 2021.⁴³⁰ The Trust also announced that Stage 2B of the Manawa development had been completed.⁴³¹ In September 2020, subdivision was two-thirds complete and all the housing sites offered to the public had been sold. The subdivision included 40 sites for Ngā Pōtiki whānau homeownership, around 30 sites for affordable rentals, and a 20 home kaumātua village that was being planned. There were also community spaces (including a childcare centre, a community centre, and 3000m² green space) and a commercial retail centre (see Figure 6.9).⁴³²



Figure 6.9: Manawa subdivision, Pāpāmoa, Ngā Pōtiki ā Tamapahore Trust, 30 September 2019, www.ngapotikihousing.co.nz/news

⁴³⁰ Ngā Pōtiki ā Tamapahore Trust, 'Manawa Community Housing – updates and future plans', *Ngā Pōtiki Newsletter*, 22, January 2022, p. 4, <https://ngapotiki.org.nz/wp-content/uploads/2022/04/Copy-of-Nga-Potiki-newsletter-22.pdf> (accessed 13 December 2022)

⁴³¹ Ngā Pōtiki ā Tamapahore Trust, 'Manawa update', *Ngā Pōtiki Newsletter*, 17, June 2020, p. 4, https://ngapotiki.org.nz/wp-content/uploads/2020/07/NP_Newsletter_A4_JUNE2020_web.pdf (accessed 13 December 2022)

⁴³² Ngā Pōtiki ā Tamapahore Trust, 'Ngā Pōtiki housing update', *Ngā Pōtiki Newsletter*, 18, September 2020, p. 2, https://ngapotiki.org.nz/wp-content/uploads/2020/10/NP_Newsletter_A4_September_2020_web.pdf (accessed 13 December 2022)

In summary, from their initial start in 1987, through to the settlement of their treaty claim in 2013, to the end of 2021 Ngā Pōtiki ā Tamapahore Trust has leveraged existing Māori housing funding to papakāinga housing for kaumātua and whānau next to their marae, and affordable home ownership and rental housing for whānau on land returned as part of their settlement. The Trust has been a leader in the field of Māori housing and is often visited, talked with, and written about. They have also been innovative in the partnerships they have formed to provide housing for their people, and have created pathways that others can follow and branch off of in their own planning and implementation of housing on Māori land.

6.8. Conclusion

At the beginning of this time period, in 2008–2011, there was very little government acknowledgement of Māori aspirations to build on their land and perhaps even less financial support for this to happen. The main avenue for mortgage funds, Kāinga Whenua Loans, was severely under-subscribed, with reasons that ranged from the inaccessibility of the loans, the mismatch between loan criteria and what eligible whānau could afford, and even a growing sense that the provision of individual home loans might not be the best way to house Māori on their land. The hui organised by Te Puni Kōkiri in 2011 to gather Māori aspirations for their land also highlighted the difficulties Māori landowners had contacting other shareholders in their land and getting their agreement for housing initiatives. With their ability to consult Māori and also provide Special Housing Action Zone funding, Te Puni Kōkiri kept the kaupapa of Māori housing on the government's agenda during this time.

A water-shed moment came in 2011 when the Auditor-General reported on its performance audit of government planning and support for housing on Māori land. The Crown had never inquired into this before and the report and its recommendations were picked up in the 2014 Māori Housing Strategy, *He Whare Āhuru He Oranga Tāngata*. While a lot of government funding did not follow this strategy, the initiation of the Māori Housing Network within Te Puni Kōkiri, and the consolidation funding streams through the Network, enabled Te Puni Kōkiri to become more of a one-stop-shop for housing on Māori land. The evaluation of the Network confirmed the importance of the trust relationships the Network forged with Māori, and highlighted the skills and expertise of Te Puni Kōkiri staff.

The election of the Labour Government (in coalition with New Zealand First) in 2017 brought a reinvigoration of the Crown's commitment to Māori housing, including housing on Māori land. Funding allocations increased, along with the ongoing tailoring of funding programmes to be more a better fit for whānau. There continued to be an emphasis on building the capacity of Māori and iwi organisations as the facilitators of Māori housing, with this supported by papakāinga infrastructure funding and Progressive Home Ownership pathways that have enabled Māori housing providers to deliver affordable home ownership and rental accommodation to their constituencies. There are now papakāinga next to marae, rural and urban papakāinga, horizontal and vertical papakāinga.

The 2019 Māori housing strategy and the MAIHI housing framework it has been set within, has shown the value of the collaborative development of Māori housing strategic directions. Māori staff in government agencies have been key connectors with Māori organisations and networks to build strategy and funding pathways that work for Māori. In addition, the MAIHI Partnership Programme is showing promise in terms enabling the brokering and funding of Māori housing projects across government agencies. However, these initiatives are a thin positive veneer over a very recent housing legislative and regulatory framework that failed to respond to Māori housing needs and aspirations. In addition, there is no longer enough Māori land to house all Māori, should they wish to live on their whenua. While not all Māori may choose this option – ‘for many Māori...papakāinga will not be answer or even an aspiration’⁴³³ – it is beholding on the Crown to ensure that this is a real choice for all.

⁴³³ Mason Durie, ‘Te Āhua o te Kāinga Shaping the House’, p. 5

Conclusion

This report has provided an overview of some of the major developments regarding housing on Māori land between c.1870 and 2021. This conclusion provides a summary of the report.

Chapter One: Māori land loss and efforts to rebuild on their remaining land, c.1870–1899

This chapter focused on housing on Māori land during the late nineteenth century. It began with an overview of native land legislation and Native Land Court, and discussed how scholars and that Waitangi Tribunal have found that this legislation and this court contributed to land loss. Land alienation and land confiscation meant that many Māori unable to develop their remaining lands. While some Māori were able to fund their housing from rentals from land leases or the proceeds of land sales, many lived in overcrowded and damp homes without clean water supplies or sufficient sanitation.

Poor quality housing conditions made whānau more vulnerable to introduced diseases, which they had not acquired sufficient immunity against. As this chapter demonstrated, the Crown was aware of the adverse health impacts of substandard housing, but did not provide housing support. Instead, the Crown offered public health education initiatives in response to poor Māori health. During the late nineteenth century, the Crown provided some financial support for housing on general land through its Advances to Settlers schemes, but this support was not available for housing on Māori land.

Parihaka was a successful example of a Māori-led initiative to provide for the housing needs of its community despite the Crown's military interventions. Pāpāwai was another example of a Māori community addressing its housing needs through its own leadership, but land loss made it difficult for this community to maintain its improved housing conditions. When Māori communities managed to obtain good quality housing, even if for a short time period, the health of residents was observed to improve.

Chapter Two: Attempting to improve health through better housing, 1900–1929

Chapter Two examined housing on Māori land from 1900 to 1929 and showcased the difficulties Māori communities faced in attempting to improve their housing conditions. During this period, the Crown continued to monitor Māori housing needs to a limited extent through reports from government officials, Māori council members, and censuses. However, before the 1926 census, Māori censuses did

not include specific questions about housing.¹ Māori health reformers claimed that housing on Māori land significantly improved during the early twentieth century, but the lack of housing statistics prior to the 1926 Māori census makes it difficult to ascertain the extent of these improvements.²

This chapter discussed how adverse health impacts for Māori (including higher rates of typhoid, tuberculosis, smallpox, and influenza) were connected to inadequate housing and insufficient access to housing assistance on Māori land. Overcrowded, cold, or damp housing, and a lack of clean water supplies and sanitary provisions continued to exacerbate the impacts of introduced diseases, which disproportionately affected Māori. The Department of Health was established in the early 1900s and some of its earliest work was attempting to promote better housing and sanitary conditions to improve Māori health. However, the Crown made only limited attempts to improve housing on Māori land as part of these wider efforts to promote Māori health.

This chapter discussed how the state-supported Māori councils' initiative appears to be the most successful of the housing initiatives on Māori land, but this was constrained by the Crown's decision to make these councils be self-funding through revenue gathered from dog taxes and fines for breaching council by-laws. The Crown's targeted assistance for Māori during this period consisted of public health education, limited funding for rainwater tanks and other housing infrastructure, and a small number of housing loans as part of the Māori land development schemes established in 1929. The establishment of the Native Trustee in 1920 generated some Crown financial support for improving Māori housing conditions, but not enough to meet demand. Inadequate funding limited the effectiveness and sustainability of housing initiatives on Māori land, even when these were planned and paid for by Māori, and led by the likes of Te Puea Hērangi, Rua Kēnana, and Wiremu Tahupōtiki Rātana.

Chapter Three: Increased but still insufficient government support for housing on Māori land, 1930–1949

Chapter Three examined government housing programmes that aimed to improve Māori health through the provision of housing loans. This chapter began with a discussion about the increased Crown monitoring of Māori housing conditions during the 1930s through housing surveys, which was part of a wider trend towards social surveys and increased government involvement in promoting better housing conditions. Inadequate housing and lack of access to housing assistance continued to be connected to adverse health impacts for Māori during the 1930s and 1940s. Although health officials,

¹ Dr Maui Pomare, 'Report of Dr Pomare', *AJHR*, H-31, 1902, p. 63; Helen Robinson, 'Te taha tinana: Māori health and the Crown in Te Rohe Pōtae inquiry district, 1840–1990', 2011, (Wai 898 #A31), p. 98

² Robinson, 'Te taha tinana', p. 98; Census and Statistics Office, *Population census 1926: Compiled in the Census and Statistics Office*, Wellington: Government Printer, 1931, Vol. 13, p. 30

politicians, and Māori communities themselves called for increased government housing assistance for Māori to promote health, it was not always forthcoming.

One of the avenues of greatest housing assistance to Māori during this time period was the land development schemes. This programme commenced in 1929, and continued in the 1930s and 1940s with an increasing number of houses being built. While Māori were able to access financial support from the Crown to build houses on their land under the land development schemes, these houses were inferior in quality and size to those built for Pākehā due to a need to keep the repayments affordable. This chapter also discussed the housing programme for Māori established under the Native Housing Act 1935 and extended by the Native Housing Amendment Act 1938 and the barriers for its implementation. This legislation enabled the Department of Native Affairs to provide mortgage finance, but again houses were built to a lower standard, which reflected the mortgage amount people could afford to service.

The 1930s economic depression and the Second World War created challenges for Māori attempting to improve their housing conditions on their land as did their exclusion from some forms of government housing assistance for much of this period. The depression led to a high level of unemployment amongst Māori, which made it difficult to maintain existing housing on Māori land, to save a deposit, and make repayments to build new housing on their land. The Second World War limited the supply of building materials and tradespeople available to build and maintain houses on Māori land. State housing and State Advances schemes were usually only available to Pākehā and for building on general not Māori land. Only from the mid-to-late 1940s onwards were Māori able to access these forms of housing assistance. Government spending on housing for Māori on a per capita basis remained lower than for the general population throughout the 1930s and 1940s. It was not until 1950 that it was increased to more than one per cent of the Government's total housing budget. This was despite the greater housing needs of Māori who comprised seven per cent of the population by 1950.

The case studies for this chapter provide snapshots of Māori communities attempting to provide for their people's housing needs during the 1930s and 1940s. Māori at Ōrākei and Waiwhetū had their land taken under public works legislation to be used for the construction of state houses. These case studies examine how a discourse of health risk was used to shift Māori off their land, and how these two different communities resisted the Crown's attempts to then integrate them and rehouse them in 'pepperpotted' state houses. Chapter Three returns briefly to Pāpāwai to show how this community's housing conditions had declined during the early twentieth century and its attempts to access government housing support established through the Native Housing Act 1935 and its 1938 amendment.

Chapter Four: Housing loans and amendments to Māori housing legislation, 1950–1984

Chapter Four traced three decades of government reluctance to tackle issues raised by Māori about housing on their mostly rural land. The first part of the chapter examined urban migration and how a growing Māori population contributed to escalating housing need within urban centres. Urban migration prompted a shift in focus for the Crown's Māori housing responses, to the provision of urban rental and then owner-occupied housing.³ Significantly, government housing responses were underpinned by a strategy of Māori integration into Pākehā society. This strategy was reinforced by the 1961 Hunn Report and the 1965 Prichard–Waetford Report, both of which criticised multiple ownership of land as a barrier to Māori overcoming social and economic disadvantage.

Eligibility for Department of Māori Affairs mortgage finance was conditional on Māori having a housing site that could be used as mortgage security. In addition, the Town and Country Act 1953 gave more authority to regional authorities, and their district scheme requirements that housing sites had to be at least 5-10 acres and owned by a rural worker. This led to Māori applying to the Māori Land Court to have housing sites partitioned out of multiply owned land and to Māori shareholders vesting their land shares so that 'group housing' subdivisions could be developed. The Town and Country Act 1977 then enabled regional authorities to further restrict the ability of Māori to build housing on their own land through, for example, planning restrictions and zoning regulations.

The condition of Māori housing and the link between poor conditions and poor health remained an issue, with censuses, District Officers and then Māori Welfare Officers, and the Maori Women's Welfare League providing housing assessments. While improvements in conditions were documented in the 1966 census, the information was not disaggregated by rural/urban, and surveys, correspondence and submissions continued to describe the poor condition of Māori rural housing. Correspondence from the Māori Affairs Whangārei Office about their efforts to persuade Māori homeowners to apply for loans under the Rural Housing Improvement Scheme showcased the reluctance of people to borrow monies as they were often older and on restricted incomes.

The case studies in this chapter examined the impacts of Crown housing legislation and policies on Māori. These examples included what happened when Tauranga grew to encompass housing on rural Māori land and local Māori became 'urban' without having to leave their kāinga.

³ Brian Murton, 'The Crown and the peoples of Te Urewera: The economic and social experience of Te Urewera Māori, 1860–2000', 2004, (Wai 894, #H12 (Part V)), p. 1943

Chapter Five: Lending schemes and relevant legislation, 1980–2009

Chapter Five discussed government lending schemes and relevant legislation relating to housing on Māori land during the period 1980 to 2009. Throughout this period, Māori calls for housing solutions to be developed and provided by Māori grew stronger. Māori expressed their housing concerns and aspirations in Crown inquiries, in consultations about papakāinga housing, and in research conducted by Māori and non-Māori researchers. By the end of this time period it had been well-articulated that being housed on their own land needed to be understood from within te ao Māori (the Māori world).

At the beginning of this period, Māori home ownership rates remained highest in rural areas, even with (or despite) the reluctance of lenders to offer mortgages for houses on multiply owned land. Surveys of rural housing stock, however, highlighted the poor condition of Māori dwellings, with around one in ten designated as substandard or uninhabitable, with a number of households in urgent need of improved housing.⁴ This was a time of increasing Māori counter-migration as people returned from urban areas to their tūrangawaewae, and of rising Māori unemployment. Māori were described as putting up with poor rural housing conditions because of financial constraints and so they could live on their whenua.⁵ At the same time, the increasing profile of holistic models of Māori health and growing understandings of the social and economic determinants of health strengthened Māori advocacy for improved rural housing conditions.

After the election of the Fourth Labour Government (1984–1990) housing assistance continued to be delivered by way of subsidised rents and subsidised first home loans for low-income purchasers. By 1986 the initiatives to encourage home ownership included the Housing Corporation's introduction of lending for housing on multiply owned Māori land, which was trialled before the conclusion of the Papakāinga Housing Research Group's deliberations and in spite of the Group's critique of relocatable housing as security.⁶ In the early days of the Housing Corporation's Papakāinga Lending Scheme the number of loans approved numbered in the hundreds, but these declined dramatically in the 1990s until only 44 loans were made between 2000 and the end of the scheme in 2008.⁷ The Rural Housing Programme also included lending for papakāinga housing, but this funding was largely focused on the repair and renovation of rural housing.⁸ Towards the end of this time period iwi and Māori housing

⁴ Douglas, *Fading expectations*, pp. 62-77

⁵ Waldegrave, King, Walker, and Fitzgerald, 'Māori housing experiences: Emerging trends and issues', p. 74

⁶ Board of Māori Affairs 'Māori Housing', 6 September 1985, p. 4, R7760007, Archives NZ, Auckland; Board of Māori Affairs 'Housing', 8 May 1985, p. 1, R7760007, Archives NZ, Auckland

⁷ Controller and Auditor-General, 'Government planning and support for housing on Māori land', p. 29

⁸ Saville-Smith and Wehipeihana, 'An assessment of the Rural Housing Programme 2001-2005/06: A synthesis of evaluation findings. Rural Housing Programme long-term outcomes evaluation', p. i

organisations were provided with funding from the Housing Innovation Fund that would help them to increase the number of Crown-funded homes for Māori.

Chapter Six: Strategic traction and increased funding, 2008–2021

Chapter Six examined the contemporary story of housing on Māori land. The 2011 inquiry by the Office of the Auditor-General into government planning and support for housing on Māori land and the 2012 New Zealand Productivity Commission inquiry into housing affordability both considered the systemic drivers of Māori housing disparities. Prior to this, in this time period, the issue of housing on Māori land barely warranted a mention by Crown agencies, other than Te Puni Kōkiri. In particular, the Auditor-General's report and the follow-up companion report from the same office in 2014 sparked more genuine and generous consideration of Māori aspirations to be both housed and homed on their whenua. Although the Crown's promising Māori housing strategy, *He Whare Āhuru He Oranga Tāngata*, sought to implement the recommendations of these inquiries, it was not adequately funded. It did not, therefore, reach its potential to support the construction of housing on Māori land. The delivery of services by the Māori Housing Network, formed in 2015, did receive a good evaluation that signalled that trust relationships and Te Puni Kōkiri staff expertise were key to the success of the Network.⁹

This chapter also examined how a combination of legislative change, government agency restructuring, and the launch of a reinvigorated Māori housing strategy, *MAIHI Ka Ora*, created a renewed opportunity for housing on multiply owned Māori land that was then followed through by the Crown with funding allocations in recent budgets. Chapter Six described recent targeted legislative and policy responses by the Crown to address identified housing needs on Māori land, how those housing needs were canvassed by the Crown and what consultation was undertaken, the housing assistance programmes that were available, and the impacts of the Crown's actions for Māori.

The overall shift to a community development approach during this time period has facilitated a growth in papakāinga initiatives that have, in turn, provided insights into the benefits for Māori of living on their land. Housing on Māori land is about more than a response to the current Māori housing crisis. While the crisis may 'push' people to consider a return to their whenua, the 'pull' back to the whenua is also an important consideration. Papakāinga provide not only a home, but also a community, a sense of belonging, and a place to stand. The realisation of housing on Māori land and its benefit for occupiers also demonstrates the value, merit and significance of Māori housing solutions that are by, with and for Māori.

⁹ Duckworth, Thompson, Grootveld, Brown, and Marama, 'Impact evaluation of the Māori Housing Network', p. 4

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Appendix I: Memorandum-Directions Commissioning Research

OFFICIAL

Wai 2750, #2.3.4

IN THE WAITANGI TRIBUNAL

Wai 2750

CONCERNING

the Treaty of Waitangi Act 1975

AND

the Housing Policy and
Services Kaupapa Inquiry

**MEMORANDUM-DIRECTIONS OF JUDGE C T COXHEAD COMMISSIONING
RESEARCH**

1 February 2022

1. Pursuant to clause 5A of the second schedule of the Treaty of Waitangi Act 1975, the Tribunal commissions Dr Fiona Cram MNZM and Dr Ella Arbury to prepare a report on housing on Māori Land between 1870 to 2021, for the Housing Policy and Services Kaupapa Inquiry.
2. The researchers should focus on providing an outline of housing policy and services relevant to Māori land, how these are implemented, the impacts and outcomes for Māori, and Māori responses. Māori participation in legislation, governance and policy developments relating to housing on Māori land should also be examined. The researchers will provide an overview of significant developments in housing from c. 1870 relevant to planning, provision of infrastructure, development and administration on Māori land including how these may have contributed to any current barriers to service or housing provision. Where possible the report will address:
 - (a) To what extent and by what means did the Crown consult with Māori communities over their housing needs and preferences and over Crown housing initiatives during the period between 1870 to 2021 with respect to Māori land? In what ways did Māori communities seek to participate in housing initiatives on Māori land to address the needs of their communities, such as through Crown and Māori organisations, and Māori community and political leaderships? What promises or undertakings, if any, did the Crown make to Māori communities and their leaderships in relation to the provision of housing assistance on Māori land and with what results?
 - (b) How did the Crown monitor and inform itself of Māori housing needs and preferences with respect to Māori land through this time period, including through government inquiries such as the 1970 Royal Commission into Housing, and with what major initiatives in housing policy and legislation?
 - (c) What kinds of targeted legislative and policy responses did the Crown make to address identified housing needs on Māori land during this period, including in response to issues such as multiply owned Māori land, rural employment, and post-war urbanisation, and through such means as lending assistance for house construction and repairs, housing loans and any other housing assistance directed specifically towards Māori land? How effective were such targeted programmes for Māori?
 - (d) What kind of housing assistance programmes were available for building houses on Māori land such as the Māori Affairs loans programme under the Native (later Māori) Housing Act 1935, Kāinga Whenua Loans and Infrastructure Grants schemes, and with what results? What barriers, if any, did Māori encounter when trying to access government housing programmes, services and lending assistance for housing, including papakāinga housing, during this period and how did housing assistance available for Māori land compare to assistance programmes available for general land?
 - (e) What was the Crown response to any barriers or discrimination experienced by Māori in attaining housing on Māori land during the period under review, including barriers which may have hindered the development of housing, including papakāinga housing, on Māori land such as, local authority rating, zoning, planning, and consenting processes? How effective were any Crown efforts to address such issues, including by legislative and other means?
 - (f) What were the impacts for Māori of Crown housing legislation and policies over this time period in terms of adequate housing and access to housing on Māori land?

What adverse health impacts for Māori, if any, were linked to inadequate housing and access to housing assistance on Māori land during the period?

3. The completed report draft will be made available to parties for feedback by 15 September 2022, to be followed by quality assurance and final revision, with the final report filed by 25 November 2022. An electronic copy of the report and supporting documentation should be submitted to the Tribunal's Registrar in Word or PDF file format.
4. The report may be received as evidence and the author may be cross-examined on it.
5. The Registrar is to send copies of this direction to:
 - (a) Dr Fiona Cram MNZM and Dr Ella Arbury;
 - (b) Claimant counsel, Crown counsel and unrepresented claimants in the Housing Policy and Services Kaupapa Inquiry;
 - (c) Chief Historian, Waitangi Tribunal Unit;
 - (d) Principal Research Analysts, Waitangi Tribunal Unit;
 - (e) Manager Research Services, Waitangi Tribunal Unit;
 - (f) Manager Inquiry Facilitation, Waitangi Tribunal Unit;
 - (g) Inquiry Facilitator, Waitangi Tribunal Unit;
 - (h) Solicitor-General, Crown Law Office;
 - (i) Director, Te Kāhui Whakatau (Treaty Settlements), Te Arawhiti; and
 - (j) Chief Executive, Te Puni Kōkiri.

DATED at Rotorua this 1st day of February 2022



Judge C T Coxhead
Presiding Officer

WAITANGI TRIBUNAL