National
SCIENCE
Challenges

Hei whakatū ngā kāinga mō te iwi Māori

Producing, retaining and maintaining affordable housing for Māori

August 2021
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| Title | Hei whakatū ngā kāinga mō te iwi Māori |
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This report is available from: http://www.buildingbetter.nz/resources/publications.html

Acknowledgements

This report is part of a larger research project on *Producing, Retaining and Maintaining Affordable Housing in New Zealand*.

Firstly, we would like to thank the members of the Advisory Panel for the research project for their input to the wider research and feedback on various draft reports.

Secondly, we would like to thank the many people who responded to our requests for interviews, completed online questionnaires, and provided information about strategies, polices, plans and developments.

And thirdly, we give special acknowledgment to those respondents from Māori Housing Providers who gave their time, knowledge, expertise and experience to this research.

Note, this report uses the term Māori Housing Providers to refer to both the research respondents and to the housing provider organisations.

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Executive summary

The context of Te Tiriti o Waitangi (Te Tiriti) is fundamental to the government's discourse and policies on housing in Aotearoa New Zealand. The Crown's Treaty responsibility for the supply of affordable and social housing for Māori relates to article 2 of Te Tiriti. Te Tiriti explicitly reaffirmed that Māori would continue to exercise "tino rangatiratanga" (tribal authority) over their "kāinga" (lands, villages, homes, estates, residences, dwellings). However, poverty through colonial land confiscation and cultural repression displaced and dispossessed Māori. It affected the ability of Māori to live sustainably within their traditional kāinga. Looking back to the last 150 years there was a rapid decline in tribal estate and Māori land ownership primarily through legislative alienation. Māori housing ownership in cities stabilised and then peaked in the 1960s-80s assisted by capitalisation of child allowances as housing deposits, and an affordable loan environment, before the decades long decline in ownership through to contemporary times. While Te Tiriti, rights, equity and social cohesion all indicate the need for strong leadership and support for affordable housing by the Crown, they have, as one provider interviewed for this research put it been, '… largely missing in action since the 1980s'. Housing is a right affirmed by the United Nation Special Rapporteur on the right to adequate housing and is now the subject of a consultation document (New Zealand Human Rights Commission, 2020). Crown failure is largely the setting for the crisis in Māori housing today.

Māori Housing Providers are relatively new to social and affordable housing supply and management. As capacity and capability is now strengthening, there is a strong will for Māori agencies to respond to Māori needs. The new providers are keen to assist, recognising that to Māori a home is more than a house. Māori seek spiritual, emotional and cultural identity connections to the land and environment as well as to family and community. Māori Housing Providers understand the holistic interests of Māori and are better placed to achieve culturally appropriate outcomes for Māori. However even though local governments also have the aim of seeing their residents housed, participants in this research identified that some local authorities create barriers to the prompt supply and affordability of housing. These challenges relate to cumbersome planning processes, charges and contributions, lack of transparency and efficiency, slow recognition of infrastructure needs, and limited staff facilitation. Māori Housing Providers also noted the enablers of affordable housing which included the Crown through Te Puni Kōkiri; those local authorities who made supply of housing and cutting through bureaucratic barriers a priority; banks; and, where relevant, Te Tumu Paeroa, the Māori Trustee. However, a number of respondents noted the remaining suspicion and lack of trust from a range of entities including the Crown, which hampered the ability of Māori Housing Providers to get on with the job.

Leadership, partnership with key deliverers, and the ability to influence decision makers were identified as factors in achieving successful outcomes for Māori Housing Providers. Other important factors identified were project management skills, the ability to overcome the complexities of Māori land tenure affecting the legal ability to proceed with development, as well as the ability to obtain finance.

Facilitation through local government and other agencies would be beneficial and would enable more affordable housing. This includes the dedicated provision of information on planning and other council regulatory requirements, more enabling zoning, and council leadership to achieve prompt outcomes. Support and guidance for pathways to home ownership is needed and this could be provided by funders such as Te Tumu Paeroa, assisted by the Crown and others for financial budgeting capability.

Finally, Māori Housing Providers could be much more successful if capital for housing was more readily available.

Recommendations

That an independent National Māori Housing Authority be established and commissioned to fundamentally advance Māori housing outcomes. The Authority should be empowered to monitor major housing agencies (including the Community Housing Regulatory Authority, government capital and lending systems, HUD and Kāinga Ora) to ensure Māori housing outcomes are achieved in the delivery of their plans, policies and services. The broad functions of a National Māori Housing Authority should be formalised to provide independent advice to the government. The details of an independent national housing authority will need to be designed by Māori with a primary focus on reducing housing barriers and enabling affordable housing for Māori.

That in the absence and transition to establishing an independent national Māori housing authority, Te Matapihi be resourced to develop effective partnerships with Local Government New Zealand, Community Housing Aotearoa and Kāinga Ora, to monitor agreed aims to reduce barriers to affordable Māori housing. That the partnerships also include hapū/iwi when engaging local and regional authorities. The partnered organisations will focus on supporting Māori housing providers to implement, facilitate and report on affordable housing achievements.

That a systems and policy review of the whole of government and related/funded entities, including the Community Housing Regulatory Authority, be undertaken to address changes in local government, government capital and lending systems, and land management necessary to enable affordable housing, in order to honour Te Tiriti o Waitangi.

That Local Government New Zealand, in partnership with Kāinga Ora, Te Matapihi and other partners, set aims to reduce barriers to affordable Māori housing through advice to all local and regional authorities on ways to implement and facilitate affordable housing.

That leadership and partnership training be offered to local government and Māori Housing Providers to encourage further success.

That use of project managers for the development of Māori housing be encouraged and facilitated.

That funders and banks in conjunction with relevant partners such as Te Tumu Paeroa (the Māori Trustee) develop resources to support affordable housing including financial capacity training and lending products that will promote the increase of housing supply by Iwi and Māori providers.

That prompt ongoing maintenance of affordable housing be ensured through policy implementation and other appropriate mechanisms.

Introduction: honouring Te Tiriti

Te Tiriti o Waitangi and the Treaty of Waitangi signed in 1840 established a formal partnership between hapū/iwi of Aotearoa New Zealand and the British Crown. Te Tiriti o Waitangi is the Māori language version signed by the majority (over 500 signatories) of Māori chiefs. The Māori version affirmed that Māori would continue to exercise "rangatiratanga" (the unqualified exercise of chieftainship) over their lands, villages, and all treasures. The English language version is worded slightly differently and provides for full, exclusive, and undisturbed possession of lands, estates, fisheries, and other properties. While there is different wording, the effect of Te Tiriti is that it reaffirmed to Māori existing powers along with extended rights and privileges of British subjects. The explicit inclusion of "*kāinga"* in article 2 demonstrates the significance papakāinga, villages, homesteads, tribal lands have in relation to the exercise of rangatiratanga. A Waitangi Tribunal claim (Wai 2750) alleges that the Crown has breached Te Tiriti o Waitangi as it has failed

> '… to ensure an adequate standard of housing for Māori, both rural and urban, or to deliver state services, programmes and support enabling Māori access to adequate housing'   (Waitangi Tribunal, 2019).

Many breaches of the provisions of Te Tiriti have occurred throughout Aotearoa New Zealand over the 180 years since signing. The Waitangi Tribunal was set up in 1975 as a permanent commission of inquiry to hear and make recommendations to the government on claims by Māori of breaches, as well as to resolve interpretation of Te Tiriti. Over 100 claims addressing housing-related issues have been registered since 1975. Housing Policy and Services is currently being tackled as an issue of claim through the Tribunal as Inquiry Wai 2750 (Waitangi Tribunal, 2019). The Waitangi Tribunal are currently (July 2021) concluding the first stage of hearing, which is on homelessness. The issue includes a claim about housing racism, about State housing and, pertinent to this paper, claim Wai 2745#1.1.1 by Debbie Munroe which is about unaffordable housing, holding, among other things, that it is the responsibility of the Crown and the right of Māori for affordable housing. Munroe's claim cites the following breaches of the Treaty of Waitangi, which has created continuing suffering for Māori:

> 'a) Breakdown of families and emotional stress to whanau;
> b) Poor living conditions;
> c) Poor housing conditions;
> d) Homelessness;
> e) Migration of Māori from their turangawaewae into cities;
> f) Discrimination; and
> g) Housing deprivation.'
>   (Waitangi Tribunal Wai 2745#1.1.1)

Recommendations in her claim are:

> 'That adequate laws, policies and systems be put in place to address and reduce the socio-economic issues facing Māori and the subsequent housing disparities facing Māori.
> That necessary funding be provided to enable Crown Ministries to adequately work in partnership and good faith with Māori to address and support all Māori housing needs, which includes their private and social housing needs.'
>
> (Waitangi Tribunal Wai 2745#1.1.1).

This matter is to be heard in the second stage of the Housing Policy and Services Inquiry. While the Tribunal recommendations on affordable and other housing policy and services matters may be many months away, the approach in this paper is that Māori have a right to affordable housing, that the Crown has an ethical responsibility to specifically provide for affordable housing for Māori and that the need for housing for Māori is now a priority. This is more than an equity issue as a very brief review below of history and current housing under-supply makes clear.

From 1840 European settlers had a pressing need for land. While some land was gifted to the Crown, such as by Ngāti Whātua (Kawharu, 1975), and the Crown bought lands from Māori (the Crown in terms of the Treaty was the pre-emptive purchaser), large areas of land were stolen by the Crown (termed by the Crown 'confiscation') and legal measures were taken to assimilate Māori into colonial culture. The trauma over generations of land theft impacts on culture including customs, beliefs and language; and the gradual then accelerating movement of Māori from rural areas to cities to find work to survive; must be considered as the context for the need for housing for Māori. There have been a number of research studies on housing status and quality for urban Māori (Walker, 1970; Seidel, 1971; Orange, 1977; Douglas, 1986; Bathgate, 1987; Krivan, 1990; Ferguson, 1994; Schrader, 2013) which show changing trends depending on social and economic circumstances, Government initiatives, policies, financial assistance and administrative implementation.

The housing literature has changed from perceptions of 'slums' in the late 1800s to the first half of the 1900s, moving to a marked improvement in quality of housing for Māori and increasing rates of urban Māori home ownership, supported by government housing construction to the later 1960s. This was followed by a marked decline in home ownership and housing quality for Māori (Goodyear, 2017). The impact of inadequate housing is well-documented in a report "…for the sake of decent shelter…" (Māori Women's Housing Research Project Report, 1991). Currently Māori face higher rental costs compared to income than equity would reflect, lower rates of home ownership, higher rates of homelessness, and suffer intergenerational poverty (Office of the Associate Minister of Housing, 2020). This includes single people and families. While the 1990s changes in State housing policy were purported to '… give people choice'(New Zealand History, 2020), in times of high demand for insufficient

housing, Māori compete unfavourably with those with greater financial capacity. In addition, the presence of racism in the rental housing sector must be acknowledged (Macdonald, 1986).

While there is debate about the amount of housing shortfall (Tindale, 2019), there is a significant undersupply, especially in Auckland where affordable housing is most needed. The United Nation Special Rapporteur on the right to housing (Farha, 2020) defined the situation as a human rights issue, where Te Tiriti conferred rights and expectations. Government administrators appear to characterise provision of State rental housing and affordable home purchase as an equity issue, influenced by social and economic matters. Irrespective of the various views, the current context is that of a rapidly increasing cost of housing, a much slower rise in incomes and benefits, and the increasing difference between people's financial resources in Aotearoa New Zealand. This in turn produces an increasing lack of social cohesion (Henry, Menzies and Paul, 2019). Although Government-collected statistics are not easily compared over time for Māori housing, there seems no doubt that Māori are lower income earners than non-Māori and most impacted by the rapid increase in cost of housing.

> 'After 180 years of colonial arrogance and 40 years of neo-liberal ideologies that have entrenched inequality and devastated communities, institutions and landscapes across Aotearoa, the time has come to … find good pathways to the future' (Salmond, 2020).

Noting the disproportionate impact of a lack of adequate affordable housing for Maori, the UN Special Rapporteur recommended that '… significant targeted action is in fact required urgently to meet the current housing needs of Māori as a means to both promote human rights and restore Te Tiriti rights' (Farha, 2020). A Māori Housing Provider interviewed for the research noted the barriers to providing affordable housing as a governance and Te Tiriti issue, saying:

> 'It's about mana motuhake, it's about being in control of our destiny. You can't do that unless you have decision making powers. It's about being treated as a Treaty partner, as opposed to subservient, which is what we get these days.'

Māori Housing Providers affirm the relevance of Te Tiriti as well as the importance of Māori taking leadership to provide for Māori. They also state that although Māori seek warm, dry, safe housing, that by itself is inadequate in terms of Te Tiriti and in terms of culture.

Māori also expect that their spiritual, emotional and environmental wellbeing will be addressed in conjunction with housing. Those Māori whose homes are located within their tribal boundaries will seek to maintain their relationship with this land, and what ancestors, whakapapa and cultural memory mean to them, and to be able to pass on this knowledge or mātauranga to their children and into the future.

Those who are unable to locate in their tribal lands will also seek to develop a connection with the land and surrounding environment and people. The design of the housing, open space layout and tenancy or related rules and regulations should allow for and encourage connections with place to support Māori identity. Opportunity to feel connected with place as well as with family, and to be able to show hospitality to visitors, are key values that are important to Māori, and which will enable accommodation to become a home. Space for a vegetable garden and safe play space close to nature are aspects which are likely to be welcome. Māori are likely to seek connections with the environment in their locality, close to home, and to know that this is healthy. This in turn will support their spiritual well-being. They are likely to want to contribute to the design of housing and particularly their neighbourhood and community, and to know that outside maintenance is not undertaken with poisons.

Values are likely to differ by locality, so there is not one Māori approach that fits all. Māori see all things connected so give priority to the importance of maintaining and enabling links with health and education providers and other aspects which support wellbeing, rather than seeing housing as a discrete and separate aspect. Currently policies such as that of the Community Housing Regulatory Authority appear to discourage or oppose this value of interconnectedness, in conflict with Māori tikanga. An example of this came from a Māori Housing Provider connected to an iwi, who outlined the extensive requirements demanded that appeared unusually rigorous. This possibly derives from a lack of familiarity and understanding of Māori cultural values.

Returning to Te Tiriti as a fundamental expectation of housing affordability, the consideration of Te Tiriti in legislation and policy has frequently been expressed as principles. These have included partnership, participation and protection of the values of both parties to Te Tiriti. The principles might also be understood as a matter of integrity and that is the approach we take in this report.

Importance of affordability

Affordable housing is understood as: a home that a household could occupy for less than 30 percent of its income whether purchasing or renting. Affordable home products exist on a continuum, ranging from emergency housing to medium priced homes provided by the market shown below.

The housing relevant to the target households of this research include: assisted rental, assisted ownership, market rentals and affordable market ownership. The focus is the intermediate housing market, sometimes now termed *the missing middle*, and is highlighted below. Whilst the focus of this research excludes housing rented from Housing New Zealand / Kāinga Ora, it does include housing that is provided by Community and Māori Housing Providers, including those providers whose residents are eligible for the Income Related Rent Subsidy.

Social		Affordable		Market		
Emergency Housing	Social Housing Rental	Assisted Rental	Assisted Ownership	Market Rental	Affordable Market Ownership	Market Ownership

Table 1. Affordable housing continuum and products

Table adapted from Mitchell, I. (2015) Can Work, Cannot Afford to Buy- the Intermediate Housing Market. BRANZ. Wellington. Note that households move in and out of the intermediate housing market with changes in their incomes and house prices or rents.

Home ownership, was achieved by many Māori families in the 1960s to 1980s by making use of provisions in the *Family Benefit (Home Ownership) Act, 1958* to 'capitalise' their family benefit to assist with the necessary financial deposit, together with limited State Advances or other loans. However, this approach has not been a focus of recent government assistance and policy. Māori home ownership rates have steadily dropped, faster than home ownership rates by other groups have been declining (Rout, Reid, Menzies and Macfarlane, 2019).

Government policy initiatives have tended to be cyclical, sometimes paternalistic in nature, and often short-term with limited resources made available. For example, various schemes to support papakāinga housing development through the 1990s show the critical importance of making finance available – with 119 loans in Northland in 1990 falling to only 5 loans in 1997, as government funding was reduced. More recently, a Social Housing Unit was established in 2013 (by the then National-led government) to manage an approximately $5m p.a. fund for Māori Housing Providers

(a small sum given the scale of the housing problems facing many Māori) and disestablished two years later in 2015 following the release of *He Whare Āhuru He Oranga Tāngata – The Māori Housing Strategy* in 2014.

A number of district councils have incorporated provisions for papakāinga housing into their district plans (Webb and Williamson, 2010) and have provided guidance and support, such as *Te Keteparaha Mo Nga Papakāinga - Māori Housing Toolkit* (Western Bay of Plenty District Council, n.d.)

Māori continue to have home ownership aspirations and Māori Housing Providers and Community Housing Providers are assisting, even though they face barriers including a pressing need for timely access to capital and enabling infrastructure. Our interviews with Māori Housing Providers provide more details.

Lease and rental housing on Māori land is a means of overcoming the high cost of land as a component of housing. While there are legal and sometimes zoning barriers to building on Māori land, it is an option more frequently adopted, with advice now provided on manoeuvring through the legal requirements. In addition, amendments have been made to *Te Ture Whenua Māori Act 1993* that came into force in February 2021, that may address some of these legal issues in the future. However, there is less Māori land remaining in the larger cities, where need for housing is highest (in numbers). Another option for Māori providers being explored with iwi and others, is the decoupling of land and housing as a means of making the house purchase more affordable.

Private rental housing provides limited security to Māori tenants, as the result of low incomes and discrimination (Macdonald, 1986) and those rental options which are deemed affordable have often been health risks (Malva, 2017). This is the result of only the poorest quality of private rental housing being accessible to those on very low incomes, who are often Māori. Tardy maintenance by state housing managers has also resulted in health risks (Malva, 2017) but social (state) housing is an option many have no choice but to seek (Krivan, 1990).

After the start of this research, the Office of the Associate Minister of Housing stated (June 2020) that '… healthy, secure and affordable housing is fundamental to living and working with dignity'. A housing crisis for Māori has been recognised in the past, as the subject of the report to the Board of Māori Affairs in 1986 (Douglas, 1986), and in research in 2019 (Rout, Reid, Menzies and Macfarlane, 2019). The growing housing crisis features in the Associate Minister Mahuta's report (2020), with the intention to address the supply issue through new agencies and programmes to deal with the overall shortfall, with specific solutions for Māori. *Te Maihi o te Whare Māori* (Office of the Associate Minister of Housing, 2020) takes a systems/kaupapa approach to provide for a government investment strategy, and for the Crown to partner with iwi and other Māori entities. This would be good news for Māori Housing Providers if capital is available and Māori kaupapa is well supported.

Methodology

Kaupapa Māori Rangahau was developed as a means for Māori researchers to investigate issues through a Māori lens rather than that of a Western or other culture. While the phrase 'By Māori, for Māori, with Māori' (G. Smith in Smith, 1999) is often adopted, the underlying principles, processes and overall cultural approach is important. That is because research has previously privileged Western methodologies and science, and scant respect or legitimacy accorded mātauranga Māori (traditional knowledge) even though much of Māori knowledge was developed by acute observation over long periods and testing of understandings:
'… the kaupapa Maori movement critique[s] the dominant hegemony of Westernized positivistic research.' (Walker, Eketone and Gibbs, 2006).

Māori principles (depending on the focus of the research and the people for whom it is undertaken) are adopted as a basis for the Kaupapa Māori Rangahau methodology. These may be: tino rangatiratanga (self-determination and independence), social justice, te ao Māori (a Māori world view), use of te reo (Māori language) and whānau (Walker, Eketone and Gibbs, 2006). The principles have been further amended to now include the Treaty of Waitangi and āta (growing respectful relationships) (Cram, 2016). Linda Tuhiwai Smith terms Kaupapa Māori a social project, that is concerned with the most immediate issues that Māori are facing (Smith, 2012), of which the crisis in Māori housing and affordability must be one. Kaupapa Māori Rangahau has been developed for diverse applications
'… becoming richer and more detailed' (Henry, 2017) as part of the National Science Challenges, which have also taken an explicit mātauranga Māori approach to research. For this report researchers, interviewers and project leaders were Māori in a mixed cultures team.

Investigative methods

This research seeks to identify barriers and opportunities for affordable housing within a limited range (the missing middle) as described above. Methods are tailored to this outcome. Literature emphasises the internationality of the issue of affordable homes and new approaches. A desk top review of the statutory and non-statutory vision, aims, strategy and policy of nine territorial authorities provided information relevant to affordable housing for Māori and is also briefly included in the analysis.

Local and culturally applicable examples of affordable housing were investigated through a number of interviews, and the opportunity to complete an online survey, and with a range of Māori Housing Providers and financers, who were thought likely to have current experience and were willing to share their knowledge and views.

The interviews were coded using previously identified topics. In addition, an online survey of Community Housing Providers and local government planners and regulators was undertaken to discover opportunities which might enable affordable housing; and to better understand how local government officers perceived the roles of Community Housing Providers in delivering affordable housing. It became evident from the responses to the survey from local government that the supply of affordable housing was perceived by a number of (but significantly not all) local authorities as a political, contested and national government issue, with a limited role for local authorities, concentrating on regulation, and not on direct support or provision.

A workshop with knowledgeable partners also provided another method of review. Researchers, planners, policy makers and housing providers who attended a Community Housing Aotearoa Conference *Shift Aotearoa 2019* (organised in partnership with National Science Challenge 11 Building Better) identified key attributes which were likely to lead to success for Māori Housing Providers. The feedback from this workshop has been included as a framework for analysis.

International and local literature

Literature emphasises the internationality of the issue (widely termed crisis) of affordable homes, and the developing approaches (Weitzstein, 2017; Anacker, 2019). Local research has identified the high cost of land (Murphy, 2017), materials supply cost, lack of sizeable development companies to enable scale savings, buildings policy, regulatory barriers, neoliberalism (Bahmanteymouri, 2017) and a range of complex issues. While other researchers are studying this developing housing literature, this project has sought timely opinions from those with experience in the field: those of Māori Housing Providers.

The desktop review of the strategies, policies and planning goals for affordable housing of nine local authorities, undertaken prior to this report, set out to identify specific provisions for affordable housing in council and other relevant documents, as well as reference to partnerships with central government and other agencies to achieve stated outcomes (Austin, Henry and Fergusson, 2021). The study found that while the provision for affordable housing for elderly people was frequently included in policies; the aims, strategies and policies for affordable housing for Māori were generally absent. This absence was notable in areas which were reported as having high need for such housing: for instance the Far North District Council had strategies for affordable housing for elderly, as well as for infrastructure provision, but did not appear to address housing for Māori, who were reported in literature and later interviews as poorly housed. Nor did they refer to partnerships which might assist in achieving affordable outcomes. However, there was diversity among local authorities with many recognising the need to have specific provision for affordable housing for Māori to overcome barriers, and their aims and commitment were supported by the comments at interview with Māori Housing Providers.

Māori Housing Providers and local iwi working with councils recognised barriers facing the development of land for Māori; that not all Māori land is likely to be available for residential development; and that land in rural areas may have high infrastructure costs. Motivation continues for living where ancestral and community connections can be maintained. This is now more likely to be sought in cities with high house prices. The working paper concluded that councils seemed unsure of opportunities that existed to improve affordable housing, indicating that the functions of central government agencies committed to housing, made them less sure of their potential contribution.

Barriers to achieving affordable housing for Māori

Interviews were undertaken with eight Māori Housing Providers to ascertain what they consider to be the most significant current barriers to affordable housing, from their experience, practice and knowledge of housing needs and culture. The participants in the research came from very diverse Māori Housing Providers encompassing small and larger providers, in rural, provincial and urban locations, with different degrees of experience in developing housing, from emerging organisations through to some who have completed developments and are preparing to expand their role.

The interviews indicated that there were areas where local government could better encourage, enable and facilitate affordable housing development. Some topics related to unhelpful planning, some to apparently conflicting administrative priorities, communications and perspectives, and council charges; and some to council budget and plan priorities which in turn could result in costly delays for housing providers. Lack of priority in infrastructure planning was identified as a barrier for affordable housing. This in turn delayed and put extra costs on the developer, which impacted housing affordability. How infrastructure capacity was assessed was also a concern, as were what were considered to be restrictive and costly consent requirements. While water supply and sewerage were issues, this also extended to car parking requirements and traffic movement restrictions which may limit the number of houses that could be built on Māori land and increased the development costs.

Although the range of expert reports required of housing providers shifts liability from the council to a professional consultant, it has an impact on costs of development, particularly when developments may be small. Geotech and traffic reports, as examples, need to be provided and paid for before consents are considered. Providers argued that councils have the flexibility and discretion to waive some requirements but are risk averse. And the cost to the developer increases the housing cost. Attraction to greenfield development was thought to be a consequence of planning barriers. 'People want to develop easy, the easy greenfield stuff.' This clashes with the policy aim of government to encourage higher density development in cities. Providers considered that planning barriers affected general housing as well as affordable development.

Several Māori Housing Providers stated that consistency across planning jurisdictions with respect to affordable housing is needed. Currently providers who work with a range of district councils need to be conversant with the opportunities and constraints set out in each of the diverse district and regional plans. This may require examination of all aspects of a plan in case it might affect Māori housing. When developing multiple houses on Māori freehold land in rural localities or zones (which is where most Māori freehold land is located) this broad knowledge becomes a priority. District plans often place priority on farming uses in rural zones and perceive housing as conflicting uses, because of reverse sensitivity. This reverse sensitivity issue though

can be addressed by explicit consent from the neighbouring activity (as Hastings District Council has done). Consistency and enablement across jurisdictions would assist all housing developers, and innovative ways should be explored to address zoning and other aspects such as definitions in plans which are barriers for Māori housing. An example explained was the definition of papakāinga which restricted such development to certain zones in a plan. This apparently arbitrary restriction may have been intended to speed the consenting process, but had the reverse effect. Hastings District was lauded as a local authority which had facilitated affordable housing for Māori through zoning provisions resulting in many successful affordable housing developments. It is worth noting that 22% of the land in the Hastings District is Māori land, and 25% of the district's resident population is Māori.

In addition, better developer-knowledge of council planning and administrative priorities and processes would enable affordable housing development which responded to council aims. As one provider said:

'Council could make their planners available...a lot of it is not well understood.'

Suggestions to overcome this barrier included modifying the technical planning language used to assist providers and having staff available to explain the process.

Administering Council resource consents through multiple staff, while apparently trying to achieve a prompt response, can have a negative effect as this feedback from a Maori Housing Provider reflects:

'... all three applications went to three different processors, and they are all asking the same questions, coming back with these requests for information to the draughtsman .... It is not only frustrating, but it's time delay'.

Another experienced provider spoke of months of time delays, to the point where the matter needed to be referred to senior council management. They also said: '... a frustrating process, to be honest, [a] very frustrating process.' The provider explained that major delays and the lack of a transparent, efficient system meant they could not identify where delays were occurring and why. The Resource Management Act Section 224C development approvals for subdivision are another point of delay for some providers and efficient systems management with monitoring and transparency was sought. The provider summed delays up in this way:

'... at times it seemed that the overriding goal (of affordable housing) was lost as part of the administrative process'.

A Māori Housing Provider said that it had taken them two months to get a pre-application meeting with council planners. A requirement for multiple individual consents, which further lengthened and delayed the process, increasing costs for both the council and the developer, was a concern. Yet another provider noted that their

council was overworked and that resource consents could take 20 months. Overworked may have been a charitable comment as delays indicate lack of budgeting priority for consenting affordable housing. Delivering affordable housing has been identified as critical, and in accepting that there needs to be due process, the provider's opinion was that the balance was '… not where it needed to be,' and the process had become a constraint rather than a support.

A provider spoke of the consequences of delays and costly consenting, in their area, which was experiencing a significant shortage of affordable housing: describing Māori families living in temporary makeshift housing: '… creating lean-tos… buying a bus and parking it up there.' Social justice would deem this unacceptable. Facilitated meetings with local government to develop innovative, rapid ways to enable compact affordable housing which could be efficiently consented are urgently needed.

While local government barriers to affordable housing were explained in detail, other barriers were also identified. This included the costs of development in some areas as higher than average, and the costs and difficulty of obtaining capital for development, as well as for home ownership. Providers saw families on medium and low incomes trapped by high rents but also high costs of building.

An issue which providers linked to local government, government entities and community housing licensers, to the Community Housing Regulatory Authority, and to the former Social Housing Unit funding offered, was the apparent lack of support and trust in Māori entities and housing providers. Several providers spoke of suspicion and extreme bureaucratic requirements. An example given was the requirements to apply for former Social Housing Unit development funding which was noted as extremely burdensome for small hapū/iwi and whānau trusts, even when small numbers of units were at issue. Other examples given were very detailed compliance information required, which were described as '… multiple thick files'.

A provider noted that small trusts were unable to undertake the planning administration and project management themselves, that a project manager who could meet with whānau at night was needed. A Māori organisation seeking to build on non-Māori land seemed to be treated differently by local councils from those building on Māori land: they noted this as an additional barrier.

Restrictive criteria in loans such as the Kāinga Whenua Loan facility were noted as impediments when building on Māori freehold land. A provider noted that while having the facility was good, this came with restrictive criteria such as inability to refinance and other issues:

'… you know they might as well go out to the marketplace and buy a house out there, it's probably going to be more affordable.'

Bank support was noted as a barrier that some providers had struggled with, so building relationships with supportive banks seemed a necessity which providers had set out to do. However, another provider faced the conflict of selling land to whānau which had been obtained through Treaty settlement in order for the affordable home buyer to obtain a loan. He explained that the only way for a person to get a mortgage, was if the provider sold the home as well as the land. The solution they developed was a side agreement requiring that if or when the property was to be sold, that the iwi had the first right of refusal, at market rate, on the property. This enabled the project to proceed but there were strong initial misgivings from the iwi concerned.

Finance for the 'missing middle' was identified by a provider as the biggest barrier to affordable housing. A large part of that expense came from infrastructure development costs which they described as huge. The provider said that:

> '… the real challenge is getting our whānau into a financial position where they can actually pay for a home.., and even at $60,000 below market value, the houses are still expensive.'

Aspects that enable affordable housing for Māori

Local government could better enable affordable housing for Māori, but Māori Housing Providers noted welcome examples of support, liaison and diverse assistance provided by local authorities. An example of a helpful council was Hastings District Council who were commended by housing providers, for making papakāinga a permitted activity in their plan. As a way of addressing the systemic issues which have been identified, a provider suggested a joint local government exploration of means to support affordable housing to give territorial authorities confidence that innovation could be helpful, such as inclusionary zoning to provide for certainty. A means for *requiring* a certain quantity of affordable housing in developments was also suggested. Subsequent to the interviews with Māori Housing Providers, Community Housing Solutions (2020) produced a discussion document and held a seminar in December 2020 to encourage dialogue on inclusionary zoning as a systems wide enabler of affordable housing and suggested in their summary that the role of papakāinga /kāinga nohoanga and iwi Māori housing should be specifically considered.

A provider suggested councils should make land available for community housing developments, and become a partner in development, which housing providers might take up and manage. One council had assisted a marae to develop kaumātua flats through a cultural initiatives fund. This had enabled infrastructure costs, and resource and building consent costs to be paid. Other providers had found that changing the name of their application, not the intent, from kaumātua to retirement village which had a minimal development contribution, had saved them some $200,000, assisting affordability.

A provider commented that the relationship with the council was very positive. The council was keen to increase the amount of accommodation in the city, affordable housing aligned with their aims and they supported the location of the papakāinga. Consenting as a non-notified application had been straightforward as the land was zoned for housing. The urban-based council had assisted the provider with infrastructure costs including road realignment and a parking bay, in turn making the papakāinga development more affordable.

Another provider had a similar experience as their council saw the need for housing and had worked with iwi in various ways to '… get things moving.' Council leadership had addressed some '… red tape,' as well as archaic and inhibiting processes, focusing on the needed outcomes. The council also waived the development contribution. The provider suggested that the local government planning system could be applied in different ways to different housing uses so that social development aims could be more easily achieved, as opposed to commercial development, which did not experience such barriers.

Streamlining planning processes, while seemingly contentious in some jurisdictions, was also suggested to assist providers. One provider described how the

consenting process could be managed internally through an agreed approach with Council, such as a nominated consenting officer. Another suggested an internal champion, or another a '… friend of the applicant', and a method for providing process tracking transparency so that resource consents and other applications and documentation progress could be monitored. Māori housing initiatives have been new for many council planning staff and leadership and engagement to assist in mutual understanding of the development would, the provider suggested, offer councils ways to develop their own assessment tools.

Co-design where opportunities could be made, with the Crown, council and iwi '… sitting in the same room together, designing and collaborating on key aspects of the project' before development had started was advocated. This could enable a more flexible regulatory response. A review of regulatory regimes so that frameworks reflect Māori principles, culture and identity as well as that of the wider community was advocated. The provider thought that this required a government, iwi and council combined approach on a larger scale to avoid a piecemeal approach.

Looking beyond local government to other enablers, providers gave examples of development of relationships and partnerships with infrastructure providers and funders which had allowed a more affordable papakāinga outcome, and support which would have been '… absolutely unachievable out in the marketplace.' As a track record of developments had taken place, building companies and other contractors had put in competitive proposals for whānau selection and decision making.

Some providers spoke highly of their bank and the good relationship that had developed between them: 'ANZ were our bank for the loan and … they were extremely helpful, extremely supportive.' The development referred to was on freehold Māori land, for which other providers had experienced difficulties. The provider noted the bank had provided a good rate, good terms and conditions and this in turn had been supported by the Te Tumu Paeroa, the Māori Trustee, who could underwrite a loan if needed. The role of the Māori Trustee is to support Māori land owners in managing their land, and currently '… look after 7% of whenua Māori' (Te Tumu Paeroa, 2021). The provider noted that were it not for the support of the Māori Trustee and the bank, the provider would have been unable to '… get the project off the ground.' Providers also noted that Te Puni Kokiri's provision of infrastructure grants and whenua kāinga loans helped as well.

Support to Māori Housing Providers has been obtained at different levels and in various ways. For example, when government provided 50% funding for the development, one provider had difficulty funding the balance for the project, so mortgaged his family home to get the initiative underway, and from there labour and skills had been offered and help provided. Not all support or financial requirements were clear cut. For example, changing the status of land from general land to Māori land (which seems appropriate for a Māori housing development) could have

unexpected financial consequences, with additional security required by private sector finance agencies.

Financial literacy was identified as an area where capability still needed support. This, in conjunction with developing different housing models such as co-housing, kitset homes, creating leasehold, rent to buy and shared equity models, needs to be explored to find other ways to lower the cost of housing and increase the ability of people to afford homes. Māori providers noted that the whānau and trusts they worked with were talking intergenerational strategies: developments were not simply speculative, and this required different ways of thinking and planning.

Relationship between housing providers, Māori and local government

While providers thought that most local authorities were keen to increase accommodation in their territory, the district planning arm and processes were cumbersome. Even with streamlined processes there may be particular aspects to overcome such as with papakāinga development, where barriers had been met and addressed through expertise. Experience enabled better understanding for local government and for providers.

Participation in decision making in local government as well as through other entities which influence affordable housing outcomes was a priority for several housing providers. This was seen as not so much about financing housing but in the sharing of power: mana motuhake. While Māori Housing Providers are not often represented in urban planning and policy places the strong view was that this needed to happen so that Māori Housing Providers could be treated as Treaty Partners.

Findings

The skills and aspects thought critical by the Shift Conference (2019) 'knowledge group' for successful Māori housing providers are adopted below for analysis of the data from interviews and the online surveys..

Leadership, expertise and experience

The housing providers indicated that strong and resourceful leadership had enabled them to achieve affordable housing projects even though there may have been barriers. As they developed experience with whānau capacities, as well as various council processes and financing requirements, they were able to build documentation and relationships which smoothed and sped up the process.

Barriers remain and the providers put forward solutions which could be addressed through local government. This might be facilitated by the government as urgency is needed to resolve matters largely caused by, what are viewed as, '… archaic planning requirements' and '… tardy administration'.

Partnership and decision making

Two key initiatives identified as very beneficial were a papakāinga development guide which had been prepared jointly by Te Puni Kōkiri, the Māori Land Court and Hastings District Council; and a papakāinga section in the Hastings District Council plan which located all building standards and land use requirements in the one location in the plan. This had encouraged a positive working relationship with those partners. The key partners mentioned were the councils, particularly those people in leadership positions such as the Mayor, councillors and the CEO; as well as the Crown and key departments such as Te Puni Kōkiri, iwi partners, the Māori Trustee, and key banking relationships. Those providers who had been able to build strong relationships with partners had greater success with their projects.

Suspicion and seemingly overzealous administrative and compliance requirements remain as a barrier which makes Māori Housing Providers less able to efficiently respond, and a change in systems is needed.

Project management

This was referred to by several providers as a necessary and helpful expertise for their developments.

Land tenure issues

Māori freehold land was noted as a continuing barrier for which expertise and experience were required. The papakāinga guideline document produced by the three

partners in Hastings is an example of help with tracking successfully through the legal and administrative complexities.

Local government facilitation

Those providers who had found supportive local government representatives had been most successful, which in turn had enabled the council to better meet their objectives for accommodation in the city or district. Where relationships were problematic, intensely frustrating experiences were recounted, including submissions to the Waitangi Tribunal. However, it was clear that much more could be done by local government leadership to enable and facilitate affordable housing. Providers proposed a range of solutions to cumbersome processes, but also sought better support through zoning, planning and other provisions.

Māori-led success for Māori

The Māori Housing Providers noted the lack of familiarity and empathy (and suspicious) among local government staff were barriers and indicated the opportunity for greater success through Māori organisations. This has been the thrust of the Te Maihi policy approach from the Ministry of Housing and Urban Development, Te Tūāpapa Kura Kāinga,and Minister Mahuta (Office of the Associate Minister of Housing, 2020). A housing provider which Ngāti Toa has recently established, Te Āhūrū Mōwai, had been in business for only a short time but now offers a model for delivery of both social and affordable housing on a larger scale. This might be the way for a more affordable future which takes account of mātauranga Māori and cultural values, seeing housing as integrated with other wellbeing aspects, a healthy local environment, as well as being linked to Māori identity.

Summary

Those Māori Housing Providers who had demonstrated strong leadership and been able to build partnerships with local government and other facilitators, had developed expertise and experience in delivering successful projects for whānau. Once experience at scale had been developed other economies such as competitive tenders and direct purchase, standard documentation and a responsive local government had enabled greater housing affordability.

While prompt and affordable housing provision for Māori is essential to address equity, rights and social cohesion in New Zealand, many local authorities and support agencies who may have the same broad objective, that is provision of affordable housing, had bureaucratic, staffing and systems barriers which create delays, which in turn affects affordability and provision. This needs to be urgently addressed.

Te Matapihi, the Māori housing advocate organisation, is an effective leader for Māori housing providers. While they were not included in this study of Māori housing providers and local government, their advice was considered in the recommended outcomes.

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