

## Envisioning a Future

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### ABSTRACT

*In Aotearoa (New Zealand), existing territorial legislation and provisions within planning law currently prevent Māori from fully entering into a negotiation with district councils, in terms of creating a vision for their future, without kowtowing to already established rules that conform to Western models of land use and Western ideas of how district councils think Māori should live. On Māori land, development is mainly restricted to farming activities, as most Māori land is rurally zoned. Māori own little land in urban centres or in commercial and industrial areas, as many were historically alienated from ancestral land, and as a consequence were excluded from towns in relation to land ownership. The structure of existing legislation does not encourage Māori to test their own ways of thinking in terms of how they want to occupy urban or rural areas. Existing territorial legislation also discourages Māori from exercising their imagination in terms of developing alternative models to zoning regulations, and thinking about how they could occupy space that they have been excluded from in a way that supports the economic and social development of their communities. What happens when Māori take control and visualise their own future, unburdened by the constraints of legislative control?*

### ENVISIONING A FUTURE

Since the 1960s, the Motu family have wanted to build houses on their land. The family lives in Kaitaia and their ancestors have lived in this region for centuries. Colonisation has led to extensive alienation of Māori from their land in the area. The extended family now live on a one-hectare rural block in a cowshed and a series of makeshift lean-tos, caravans and tents. Planning legislation that determines how Māori occupy their land prohibits the family from building real houses on their property because according to council rules, the block isn't big enough. The legislation that controls how they use their land is enforced under the District Plan, the Resource Management Act 1991 (RMA)<sup>1</sup> and Te Ture Whenua Māori Act 1993<sup>2</sup> (or the Māori Land Act 1993). The RMA specifically recognises 'Māori spiritual and cultural values' and the principles of Te Tiriti Ō Waitangi (The Treaty of Waitangi).<sup>3</sup> Under this act, consultation with iwi is required for all environmental developments. When these laws are linked to Te Tiriti Ō Waitangi, the rhetoric reaffirms the relationship between the Māori people and the Crown and the recognition 'that land is taonga tuku iho of special

significance to Māori people.'<sup>4</sup> This supports the promotion and 'retention of ... land in the hands of its owners, protection of wahi tapu,' and also supposedly facilitates 'the occupation, development, and utilisation of that land for the benefit of its owners, their whanau, and their hapū.'<sup>5</sup> This seems positive for Māori families like the Motus who want to build on their land, but in reality there is a significant conflict at stake in relation to the principles of Te Tiriti Ō Waitangi – which primarily relates to the right of government to govern and make laws (kāwanatanga). This is in direct opposition to the right of iwi (tribe) and hapū (subtribe) to self-manage, and control their own resources in accordance with their tribal preferences and rangatiratanga (sovereignty). The question is, who has control here? Given the fact that families like the Motus have faced on-going and insurmountable difficulties in being able to develop their land for over fifty years, forcing them to live in substandard housing, something is clearly amiss.

While district councils insist that they are inclusive of Māori in meeting Tiriti Ō Waitangi obligations, in reality, this only happens through a process of consultation; rather than in terms of encouraging Māori to activate any change within the district plans or associated Acts. This would make a significant difference in terms of how they could actually use their land, or give them access to better housing. Under current legislation, the right of the government to assert laws always overrides any ability for Māori to control how they use land. This in turn breaches any principle of partnership, or duty by the government to act in good faith (partnership). In asserting the laws by which Māori live, gross assumptions have arisen in relation to how these laws have been implemented and in spite of rhetoric aimed at being inclusive and reaffirming, current legislation has created overwhelming obstacles – which have made it difficult for Māori to make any headway in building affordable and healthy housing or to build any other development on their land that is economically sustainable. Issues surrounding land use are further complicated with a multiple ownership structure, which also limits the number of houses that can be built on collectively owned sites. For Māori, the question is always: how can the existing cultural biases that restrict development on our land be overcome? And: how can we, as Māori, encourage policy changes

within existing territorial legislation to actively instigate changes that economically and sustainably support the development of our land and our communities?

### HOW DISTRICT PLANS RESTRICT MĀORI DEVELOPMENT

Different regions in Aotearoa have varying regulations for dealing with Māori land. Some councils have specially designated zoning which permits papakainga (village) development on Māori land, others have nonspecific zoning which allows for papakainga development under what is called the integrated development rule, but this is mainly for rural areas. This rule permits (at the council's discretion) low density housing at a rate of roughly one house per 12 hectares (this density varies depending on which council is involved and where the land is located). The densities of housing that are permitted only allow for a very small percentage of the multiple owners associated with Māori land to actually build houses on their land. This instantly alienates the majority of shareholders who will never be allowed to build. Māori landowners aren't always aware of this limitation. In general the regulations do not encourage the alternative intensive aggregation of high density or mixed use dwellings, which would make developments on Māori land more affordable and more accessible to multiple owners. While the provision of a marae (Māori meeting house) or kōhanga reo (Māori pre-school), and other community facilities are normally permitted, the provision of other buildings that would support economic activities such as small businesses or alternatives to farming practice are not. This means that prospective inhabitants have to either rely on generating an income from small farming blocks that are not big enough to be economically sustainable, or work elsewhere to pay their mortgage. While limited provision has been made for papakainga development on rural land, because of extensive land loss, little provision has been made within district plans for papakainga development in urban areas.

Tiriti Ō Waitangi obligations indicate that Māori are active partners in determining what is allowed to be developed on their land, but existing territorial legislation and zoning laws dictate

what is allowed to be built and assumptions have been made in terms of determining how Māori use their land. Māori are confined by rules that were initially determined by Western policy makers. The consultative process that has been implemented to rectify any issues is also burdened by an existing social, cultural, economic and political framework that undermines self-determination by Māori. It is difficult to challenge the restrictions imposed by planning regulations, in spite of the fact that Te Tiriti o Waitangi principles are meant to be recognised and they provide for, and support, the right of iwi and hapū to self-manage and control their resources in accordance with their tribal preferences (rangatiratanga).

In order to instigate change over rigid legislative control, councils have relied on encouraging active participation of all inhabitants who are affected by the decisions that are made. But what does this really mean, and how effective is this process? Despite the rhetoric of inclusiveness, this structure systemically fails to have any positive effect on outcomes for generating better housing options for Māori. This is because the real discussions that *need* to be had, in order to implement profound changes, have already been 'defined by the framework and possibilities of the prevailing society'.<sup>6</sup> New Zealand's zoning laws are primarily structured on a Western model of development and land use; which assumes that a small number of Māori may occupy their land primarily as farmers. This assumption is indifferent to multiple shareholders associated with Māori land blocks or aspirations of alternative development, which would be more sustainable for Māori communities. The institutionalised indifference to Māori needs in terms of land development perpetuates ongoing social injustice and inequities.

### HOW CAN VISUALISING A FUTURE BE AN ACT OF EMPOWERMENT?

In 1952, the Hawke family were evicted from their village at Orakei in central Auckland. Their eviction occurred just prior to Queen Elizabeth's visit to New Zealand. At the time, New Zealand was caught up in the hysteria and fervour of patriotic pride. Government officials were keen to demonstrate to the Queen our elevated status as a democratic, socially unified and progressive country. When they realised that the Queen's official motorcade would take her along Auckland's picturesque waterfront – past the Māori village of Orakei – they felt that this would tarnish an otherwise perfect vision of white middle class suburbia exemplified by the surrounding housing developments in neighbouring suburbs. The Māori village of Orakei was considered an 'eyesore' as it was built using makeshift materials and it was deemed to be a potential disease centre.<sup>7</sup> It had to be destroyed. Of approximately two hundred families living in the village, fifty were relocated to state houses sited on Māori land on an adjacent hillside next to Bastion Point. The rest were left to fend for themselves, with most renting houses in South Auckland. While the Queen's visit may seem like an exceptional circumstance of racially motivated eviction, twenty-six years later, in 1978, the government destroyed another village that Māori occupiers had started to build on Māori land at Bastion Point. Protests over the Bastion Point evictions instigated the first settlement claims to the Waitangi Tribunal. Although settlement claims have offered some redress, access to

housing has remained problematic for those who were evicted from their homes in the 1950s, with many families living in rental accommodation in South Auckland. Looking for a better housing solution, the Hawkes wondered how they could develop 100 hectares of land they owned in Karaka, South Auckland, (Figure 1) but, like the Motu family, they were limited in terms of the number of houses and type of development that they could do under existing legislation.

For families caught in the daily grind of simply managing to survive day-to-day in either substandard or overcrowded housing, or being held back from being able to build affordable and better housing through obstructive legislation – it can be difficult to collectively imagine an alternative reality. But a strategy that could activate change is one that experiments with and generates aspirational visualisations of what people would like to see happen without being burdened by territorial restrictions or limited by the pragmatics of financial constraints. With influences

from anthropology and participatory action research, mapping using three-dimensional visualisations has been developed. This process draws on various methods used in other countries, which have become more prevalent over the last few decades as a way of empowering local communities. By using three-dimensional maps to construct collective aspirations, Giacomo Rimbaldi writes that these 'maps are more than pieces of paper. They are stories, conversations, lives and songs, lived out in a place and are inseparable from the political and cultural contexts in which they are used'.<sup>8</sup>

As a means of considering a way of inhabiting a place, the following project outlines a series of visions that were developed from a dreaming session with members of the Hawke family. In the session, the family were asked to consider how they would design their own future if they could become more intimately connected to this land through physical occupation. Scaled contour models of the site were provided, and the family were



Above

Figure 1: Image of the site, Te Karaka No. 1.  
Photograph: Composite image compiled from GIS map viewer, downloaded from Auckland Council website, 2013.

given materials to play with to represent houses, trees and gardens and so on, and through a series of prompts over a quick twelve-hour period they created several models of how they imagined they could occupy their land. These proposals were not bound by any constraint. Instead of developing a singular proposal, several proposals were generated. This encouraged a playful degree of competitiveness between the different groups (such as, who was able to come up with the best ideas) and led to the emergence of differing perspectives. These aspirational models of land use and development radically differed from what is permitted under existing legislation.

Under current legislation, the family are restricted by planning rules, which limit the number of houses and the type of development that they would ideally like to see happen. Instead of conforming to existing legislative constraints, the approach was to find out how the families would like to see their land developed. The production of three-dimensional models captured key aspects of their aspirations. Four proposals for the site were generated, three of which are presented here.

The first proposal, called *Te Karaka Taiwhenua* (Figure 3), was focused on connecting Te Ao Māori (the Māori world) with modern science and technology through tourism ventures. The proposal used Māori icons and explicit designs that were linked to Ngā Atua Ora (the spiritual realm). The coastline, the wind, the sea, the relationship between Ranginui and Papatūānuku (sky father and earth mother) and all natural and connected elements within the site were considered in terms of how they could be harnessed to develop the whenua (land) and the moana (sea). Alongside a strong environmental focus, which included the provision of a bird sanctuary for migrating birds, and oyster farms, the group was also interested in proposing a development that would enable families to be self sufficient through tourist-based industries and job creation. The scheme included security and maintenance facilities, buildings such as a whare tupuna (carved meeting house) to house historical artifacts and a whare wānanga (house of learning) for developing knowledge in Māori law, technology, social sciences and business management. To support employment options they proposed an extreme adventure tourism venture which included a hotel and flying fox, accessed via a hovercraft airport shuttle, to an off-shore dive centre and helicopter pad. The dive centre was equipped with a submarine where patrons could catch their fish and have it cooked within an underwater restaurant. The proposal also included a retractable stage for theatre and kapa haka (music and dance), which could also host international events. The residents would be housed in underground earth homes. The surrounding land would be developed for gardens to provide food for inhabitants and for tourists, and an extensive botanical garden like the Ellerslie Flower Show. A water tower would store water on the site, while wind turbines would generate power not only for the settlement but on-sold as surplus to neighbouring communities. The proposal was driven by an interest in long-term sustainability in terms of generating enough profits to support future descendants, with the intention of purchasing neighbouring sites linked to the ancestors.

The second proposal, named *Karaka Kākano* (Figure 4), was interested in developing a Hou Ora, (Māori centre) to generate employment for its inhabitants through tourism, while preserving



Above  
Figure 2: Constructing the maps.  
Photograph: Fleur Palmer, 2013.



the natural environment. The focus was on stabilising the eroding coastline through planting. Kai moana (sea food) production would be developed through oyster, mussel and tuna (eel) farms. The inhabitants would all live in solar-powered rammed-earth huts, with zero-waste composting toilets. They would learn about rongoa (Māori medicinal knowledge); and Māori taonga (sacred treasures and customary rites) in a whare wānanga for music and performing arts. The knowledge developed through the whare wānanga would be shared as a cultural experience with tourists staying in solar-powered Bora Bora huts (over-water pole houses) located along the shoreline. The proposal also had performance and theatre facilities, a cultural centre, a boutique vineyard, forestry along the boundary and self-sufficient gardens.

The third proposal, named *Tame Haaka Panapa* (Figure 5), planned to pay for a two-stage future development by leasing 50 acres at the front of the site. Under this scheme, each owner would get ten acres to house their extended whanau (family), with the provision of a family whare taonga (treasure house), communal marae (meeting house), tennis courts, recreation centre, an orchard with a processing plant, a vineyard and a large maara kai (food garden) to feed the



Opposite  
 Figure 3: Te Karaka Taiwhenua, designed by members of the Hawke family.  
 Photograph: Fleur Palmer, 2013.

Above top  
 Figure 4: Karaka Kākano, designed by members of the Hawke family.  
 Photograph: Fleur Palmer, 2013.

Above bottom  
 Figure 5: Tame Haaka Panapa, designed by members of the Hawke family.  
 Photograph: Fleur Palmer, 2013.

community. The whole development would be serviced by wind turbines to generate power to the site. A stadium and five-star hotel connected by a bridge to Weymouth, and high rise buildings along the waterfront serviced by a bus company, would provide income and jobs for the inhabitants. Along the waterfront there would be a rock pool garden with multi-storey hotels and Club Med-style tourist facilities, fishing charters and a seahorse farm. Of the three schemes, this proposal had the most intensive housing development. To get back neighbouring land, the strategy was to marry neighbouring farmers.

## CONCLUDING REMARKS

In a study on participatory mapping methods used in the Brazilian Amazon, geographers Regina Almeida and Renato Gavazzi write that 'ethnographic mapping allows indigenous groups, through mapping activities, to achieve an understanding of their social environmental reality, its complexity, its potential and its political constraints'.<sup>9</sup> Under current legislation, Māori are struggling for the right to make decisions in terms of how they use their land and resources. For Māori this struggle is always linked to thinking about who out of the vast numbers of shareholders that collectively own their sites can build houses on the land, and how they can generate an income to make any development affordable and economically sustainable. In the proposals designed by the Hawke family during the dreaming session, they said they wanted to be able to house all shareholders who wanted to live on the site rather than just the limited numbers permitted by densities under current legislation and they were also interested in making their development economically viable by building extensive business enterprises that were linked to tourism and fishing ventures, and harnessed the potential of the coastal location (activities that are currently not permitted). The role of kaitiakitanga (guardianship), as one of healing the whenua (land) and providing ways of improving the quality of life for all the families involved, was also of paramount importance. This was played out through the provision of: extensive planting schemes to stop erosion; setting up protected areas for wildlife; building alternative self-sustainable housing to live in, such as earth huts; using wind or solar systems for power generation;

and building facilities that housed educational programs that promoted business, health and cultural activities.

Zoning laws implemented by district councils are indifferent to meeting Māori needs; they obstruct Māori from developing sustainable and affordable housing on their land by limiting any income-generating aspects of land development. Apart from allowing for the provision of community facilities, there is also a lack of support within zoning laws for the development of alternative business enterprises on Māori land that aren't solely dependent on farming practice. Zoning that favours individual housing development also places restrictions on what can be built, by not allowing for the provision of high-density housing that would more constructively meet the needs of multiple shareholders and make developments more affordable.

As a methodology, participatory mapping initiatives have been developed as a tool for empowering indigenous communities in many other countries, as a way of drawing together communities who have been unable to develop their land due to complex problems; for examples please refer to Di Gessa,<sup>10</sup> Taylor and Lauriault,<sup>11</sup> and Almeida and Gavazzi.<sup>12</sup>

In a wider context of Aotearoa, the issues that the Hawke family face in relation to land use are issues that are faced by *all* Māori landowners. The visualisations that they generated manifest the wide gap between Māori aspirations for strong economic and social development for their communities and the inability of government to meet these needs under current legislation. For the Hawke family, the dreaming session served two functions. In the first instance, the maps were a fun way of starting a conversation that galvanised the family in a non-confrontational and inclusive way to help them think collectively about what they could do with the land. Secondly, through their development, these visualisations can also serve as a tool to negotiate the terms by which local councils are able to actively support the sustainable development of Māori land for the benefit of *all* shareholders and thereby support the right for Māori to self-manage and control land in accordance with their preferences and Tiriti O Waitangi obligations.

## NOTES

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3. Te Ture Whenua Māori Act 1993, Preamble downloaded <http://www.legislation.govt.nz/act/public/1993/0004/latest/DLM289882.html> 2013
4. Ibid.
5. Ibid.
6. Henri Lefebvre, "The Right to the City," in *Writings on Cities: Henri Lefebvre*, eds. Eleonore Kofman and Elizabeth Lebas (Cambridge, MA: Blackwell, 1996), 147-159.
7. Waitangi Tribunal, "The Loss of the Orakei Block," downloaded <http://www.justice.govt.nz/tribunals/waitangi-tribunal/resources/teaching-aids/resource-kits/orakei/the-loss-of-the-orakei-block> 2013
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