

TE AHO TĀHUHU

the Progressive Home Ownership Webinar Series

Home Ownership and Land Retention

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Key Issues Covered Today

a. Using Whenua Māori for Housing

b. Occupy and Build

c. Management Structures

Te Kooti Whenua Māori

Māori Land Court

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TE MATAPIHI
HE TIOHANGA MO TE IWI TRUST



Te Tūāpapa Kura Kāinga
Ministry of Housing and Urban Development

Using Whenua Māori for Housing

- Transferring or selling your whenua – to whanau or to another party who is not whanau;
- Title Improvement eg. Partition, Amalgamation, Aggregation and Subdivision;
- Leases or Licences, either between owners and another party, or between owners;
- Finance and mortgages, what happens in default - the whenua may be sold (as whenua Māori) to anyone at any price;
- Access, roadways, rights of way and easements - where whenua Māori does not have legal access, and is 'landlocked' surrounding property owners may agree to formalise reasonable access. An application to the Court for reasonable access may be required, and compensation for legal access may be payable.

<https://maorilandcourt.govt.nz/your-maori-land/using-your-maori-land/>

*Local authority housing and subdivision requirements are not canvassed in this presentation

Occupy or Build on Whenua Māori

- Is your shareholding sufficient to build?
- Do the other owners agree you can build, can you contact them to obtain their agreement?
- Is there a trust or incorporation in place to manage the whenua and do the trustees agree with your plan?

<https://maorilandcourt.govt.nz/your-maori-land/using-your-maori-land/occupy-or-build-on-your-land/>

Māori Land Trusts and Incorporations

- Exist to hold shares in multiply owned or solely owned whenua, or manage whenua on behalf of owners, eg. whanau trust or ahu whenua trust, or may be of a corporate structure eg. Incorporation
- General aspects include:
 - owners must agree to create a trust or an incorporation;
 - trustees duties or committee of management obligations apply;
 - Te Kooti Whenua Māori may review a trust or incorporation and/or enforce obligations;
- A trust, incorporation or other entity subject to Te Ture Whenua Maori may apply for Māori Authority status from IRD.

<https://maorilandcourt.govt.nz/your-maori-land/trusts-and-incorporations/>

Key Takeaways

1. Use and Retain whenua Māori
2. What is the plan to build on, and occupy whenua Māori
3. Consider suitable structures to manage whenua Māori

Contact us:

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See our Facebook: Māori Land Court

