



Town and Country Planning Act 1977

- Citation:** No 121
- Date of Assent:** 18 January, 1978
- Commencement:** 1 June, 1978
- Repeal:** Repealed 1991, No 69
- Amendments:** 1983, No 149.
1987, No 69. Repeals and replaces Part I (ss5 - 28).
See s6(g) – Regional Planning Committees to include a representative of the tangata whenua of the region.
1988, No 44.
1988, No 214.
- Type of Legislation:** Public
- Subject:** Govt Admin Specific to Maori/Maori Land
Wahi Tapu & Non Tangible Resources
- Relevant Sections:** s3: In preparation of district schemes the following shall be considered of national importance and shall be provided for...
(1)(g) The relationship of the Maori people and their culture and traditions with their ancestral land.
s6: Membership of Regional planning committee... (3) in regions with significant Maori land holdings the Council may request the Maori District Council to nominate a Maori representative.
First Schedule: Matters to be dealt with in Regional Schemes include Marae and ancillary uses, urupa reserves, pa, and other traditional and cultural Maori uses.
Second Schedule: Matters to be dealt with in District Schemes include Marae and ancillary uses, urupa reserves, pa, and other traditional and cultural Maori uses.
- Commentary:** The Town and Country Planning Act 1953 had been the subject of much Maori protest and was one of the Acts specifically highlighted by Te Matakite o Aotearoa on the land march in 1975. The criticism was that zoning restrictions meant Maori could not use their own land for their own purposes, such as housing, and that district schemes often designated Maori land, especially in coastal areas, as reserves, again denying Maori control over and use of their land. During the Debates Rata said that "In the past, communities have been zoned out of existence and peoples lives have been adversely affected". When receiving the land marchers at Parliament in 1975 Muldoon, then Leader of the Opposition, had

Commentary and Cross Reference continued next page



promised to address this issue. The concessions made in this Act were seen as inadequate because Te Matakite had requested that Maori land should be exempt from its provisions. Tirikatene-Sullivan said that while section 3 provides recognition for Maori in terms of culture and tradition, the problem was one of modern Maori land uses, in terms of providing land for Maori housing on multiply-owned land.

- Cross Reference:** NZPD vol 413 (1977) 2411 - 2419
NZPD vol 416 (1977) 5012 - 5018, 5194 - 5200, 5228 - 5231
AJHR (1980) H - 3 pp.122 - 125
(*McCarthy Commission on Maori Land Courts*)
Waitangi Tribunal *Report of the Waitangi Tribunal on the Motunui-Waitara Claim* Wai 6 (1983)
(Waitangi Tribunal, Wellington, 1989) 33 - 35
Waitangi Tribunal *Report of the Waitangi Tribunal on the Manukau Claim* Wai 8
(Government Printer, Wellington, 1985) 87
Walker R *Ka Whawhai Tonu Matou: Struggle Without End*
(Penguin, Auckland, 1990).