

The land

Permitted Activities. As a permitted activity, you can build one main dwelling and one minor dwelling (no more than 50m² gross floor area) per title. If it is a permitted activity, this means you are not required to apply for a resource consent but are required to apply for a building consent.

Controlled Activities. Council acknowledges that there is multiple ownership of Maori land in its Operative District Plan. As a controlled activity you can build one dwelling per (4000m²) acre in Rural zoned land, one dwelling per 800m² in Residential and Papakainga Zones and one dwelling per 350m² where a wastewater system is available in a Residential zone. If it is a controlled activity, you are required to apply for a **resource consent** and a **building consent** to build additional dwellings (greater than 50m² gross floor area) per title provided that your title qualifies as per the sizes above.

Non-Complying Activities. If you do not have the right amount of land, you can still apply for permission to build an additional dwelling by submitting a land use consent application, but it would be known as a non-complying activity which Council may not approve.

Hapu partitioning

Council does not recognise Hapu partitioning as a separate parcel of land as there is no issuing of a separate title. However Council will acknowledge Hapu partitioning as being a right of occupation on that land and therefore evidence of a right to build. This right of occupation needs to be proven as part of the **resource consent** process either by way of Hapu partition, occupation orders (both issued by the Maori Land Court) or licence to occupy (given by the Trustees of the land to be built on).

Full partition

Council recognises a full partition as a subdivision because of the issuing of a separate Maori freehold title to the land. Building one dwelling and one minor dwelling (being 50m² gross floor area) is a permitted activity on this title, which means no resource consent is required. However, if you wish to build more than one dwelling greater than 50m² gross floor area, then you will need to have the right amount of land for the relevant zone in order for it to be a controlled activity.

The resource consent application – where a resource consent is required (controlled or non-complying activity)

You will need to provide the following for the resource consent Application:

Application form and assessment of environmental effects. This is called a land use consent form and we have one specifically for additional dwellings. The back of this form includes questions that will need to be answered for an assessment of environmental effects.

Application fee \$800.00 (minimum fee) (including GST). This is payable at the time of application and does not get refunded if your application is declined (only a non-complying activity can be declined). If you don't provide five copies of your application, an additional \$20.00 will be charged.

Evidence of right to build on that land. Either licence to occupy (given by the Trustees), occupation orders or Hapu partition (issued by Maori Land Court).

Building plans. Elevations, floor plan and a site plan showing where the house is to be located in relation to the boundaries of the title and other buildings.

If it is a dwelling you want to re-site onto the property then photos of the house will be sufficient instead of elevations. However, you are required to still provide a floor and site plan. For further information refer to the land use consent application form that contains our specific requirements.

Processing the application

Processing an application by Council can take up to 20 working days. That is if all the information is provided. If planning staff require further information, then the processing time or clock will “stop” until this information is provided. You may like to apply for your building consent at the same time as this can be processed alongside the resource consent.

Financial contributions

If you receive resource consent approval you will be required to pay financial contributions. Financial contributions are a capital contribution to Councils assets to allow for the increase in use of existing assets i.e. Council roads, water supply and reserves.

Council also has a financial contribution, which is put towards the protection and maintenance of significant ecological features. It is dependant on the location of your property as to which financial contribution you have to pay and also whether Council has assets in your area. The financial contributions below do not include GST and the amounts are cumulative.

Reserves financial contributions are calculated depending on what zone the property is located. Council engages Registered Valuers to do a valuation for a 2000m², 800m² or 350m² house site. Council then does the calculation of 2.505% based on that valuation. This cannot be done until Council receives an application. To this end the exact reserve contribution cannot be determined at enquiry stage.

For the latest financial contribution figures, please refer to the Resource Consents Fees & Charges brochure.

Financial contributions continued...

Here is an example of financial contributions that could be payable for an additional dwelling on a property located at residential Te Puke.

Example of Financial Contributions:

Reserves	\$10,020 plus GST (based on a valuation of \$200,000)
Water (Eastern)	\$5,587 plus GST
Wastewater (Te Puke)	\$4,237 plus GST
Roading Urban (Te Puke)	\$4,705 plus GST
Stormwater (Te Puke)	\$5,987 plus GST
Ecological	\$483 plus GST
Transportations (District Wide)	\$974 plus GST
Total	\$31,993 plus GST = \$35,992.212 including GST

NB: These fees may not be current.

Other Applications and Fees

You **MUST** apply for a building consent even if it is to resite an older dwelling. For more information on the fees for this, please contact our Customer Care Team.

You may also be required to pay water connection fees or sewerage connection fees, if Council services are available, or you may be required to build a vehicle crossing. This will be stipulated as a condition of your Resource Consent, but if you are researching your costs before you begin your project, do not hesitate to contact our Customer Care Team.

Please do not hesitate to contact the Duty Planner at our main office if you require any further information.

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Building Dwellings on Maori Land

Please Note

This brochure relates to the provisions of the OPERATIVE District Plan. Council has notified its PROPOSED Plan and you are advised to discuss any proposal with the Duty Planner as there may be more restrictive rules under the Proposed Plan that will affect your proposal

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