



## Māori Land Court application guides

# How to apply for partition of Māori freehold land

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Ka nui rawa atu te mihi ki ngā ringa rehe, ō mātou hoamahi nō Te Puni Kōkiri, nā rātou i waihanga, i tākoha mai i ēnei kupu ārahi, hei painga, hei taonga mō te marea.

*We extend a debt of gratitude to our colleagues at Te Puni Kōkiri for generously sharing their work in developing the guidance for landowners that forms the basis of this guide.*

## Understanding partition

A partition divides an existing Māori land block into new, separate blocks. Partition applications are covered under Part 14 of Te Ture Whenua Māori Act 1993 (sections 285-306) and Part 13 of the Māori Land Court Rules 2011.

Before you apply, you need to choose the type of partition that fits your situation.

## Types of partition

### **Option one – Hapū partition**

A hapū partition means the new land blocks stay with owners who are members of the same hapū.

What you need to know:

- You do not need consent under the Resource Management Act 1991.
- You do not need to provide land for roads, reserves, or public access.

You will still need usual land-use consents after partition (for example, building consents).

### **Option two – Combined partition**

A combined partition joins multiple land blocks together and then re-divides them among the owners.

What you need to know:

- You can include Māori land, general land, or both.
- You can include land regardless of its location (for example, the blocks do not need to be located next to each other).
- You must follow the Resource Management Act 1991 consent process, including working with your local council.

### Option three – Full partition

A full partition means some or all the new blocks may be transferred to people outside the existing ownership, hapū or group associated with the land.

What you need to know:

- You must follow the Resource Management Act 1991 consent process, including working with your local council.
- You may need to make reserve contributions (for example public access along waterways, land for future roads or recreational areas).

### What the Court considers

When you apply, the Māori Land Court must consider several questions, including:

- Have the owners been properly informed and had time to discuss the partition proposal?
- Is there enough support from the owners, based on how important the issue is?
- Is the partition necessary for effective use and development of the land?
- What do the owners think overall?
- How will the proposal affect the owners' interests and the best use of the land?
- Should the Court use its discretion to approve the partition?

### What you need to include in your application

Before you file your application, make sure you have:

#### Meeting information:

- minutes, attendance lists, and any notices (such as advertisements) for meetings of owners where the proposed partition was discussed.

#### Plans and documents:

- a sketch plan of the proposed partition (full details are in the application form).
- written consent from owners (and trustees, if the land is held in an ahu whenua trust)
- written objections (if any) from the owners
- valuations of the current block and the proposed new blocks.

*If the Court grants the partition a survey will be required.*

#### Your written statement must explain:

- how you informed the owners
  - what opportunities owners had to consider and discuss the proposal, and the outcome
  - how the land will be divided after the partition.

## How to submit your application

You can submit your application several ways:

### Online – Pātaka Whenua

Visit Pātaka Whenua through the Māori Land Court website [www.maorilandcourt.govt.nz](http://www.maorilandcourt.govt.nz)

You can apply as:

- a registered user – where you can create, save, submit applications, pay fees, and track progress
- a guest user – where you submit your applications without creating an account

### In person

- bring your documents to your nearest Māori Land Court office

### Email or post

- email or post your application to your nearest district office
- find district office contact details on the [Contact us](#) page of the Māori Land Court website

### Application fees

- The fee to apply to partition Māori land is \$233.
- If paying the fee would cause financial hardship, you can ask for the fee to be remitted or reduced.
- Information about fee remittals and how to request one is available on the Māori Land Court website.

## Where to get help

If you need more information or help gathering documents, you can try:

### Māori Land Court

Information Services kaimahi in the district offices can answer your questions. You can contact them by:

- email
- telephone
- making an enquiry through Pātaka Whenua
- visiting your nearest district office

The district offices details can be found on the [Contact us](#) page on the Māori Land Court website.

### Other helpful sources

- searching Pātaka Whenua
- contacting the other landowners
- contacting Te Puni Kōkiri
- visiting your local council website

