

# Subdivision

**If you're considering subdividing, please be aware of District Plan provisions.**

The three most common forms of subdivision are:

**Fee Simple** – Subdivision of land into separate allotments, each of which is exclusively owned (can include a boundary adjustment).

**Cross Lease** – Subdivision where owners of undivided shares in a multi-unit property each lease one flat from the group of owners.

**Unit Title** – A number of units, each with their own certificate of title, are created over an existing parcel of land (allotment). The units typically have a share in common property, which is managed by a body corporate.

The subdivision of land always requires a resource consent, even if it is only a boundary adjustment and no additional lots are created.

If you wish to subdivide your property you should check the rules in the District Plan and discuss your proposal with a surveyor, a planning consultant and the Council's planning staff.

In order to comply with the District Plan, all allotments should comply with the standards in Table SUB-1 of the District Plan (summarised at right). In addition, a range of other factors also need to be considered. These include: effects on the roading network (including site access), ability to connect to existing services (e.g. water, stormwater, wastewater, power and telephone), overland flowpath routes, localised flooding areas and other natural hazards. You may also be required to pay contributions (e.g. road and reserve contributions and public services upgrading contributions).

**NOTE:** For an estimate of Development Contributions please email [subdivapp@wmk.govt.nz](mailto:subdivapp@wmk.govt.nz)



District Plan Rules Minimum Allotment Areas and Dimensions			
Zone	Minimum Area	Minimum dimensions (m)	
		Internal Square	Frontage
Large Lot Residential	2,500m <sup>2</sup> , Average 5000m <sup>2</sup>	n/a	n/a
General Residential*	500m <sup>2</sup>	15x15	15
Medium Density Residential*	n/a**	n/a***	n/a
Settlement	600m <sup>2</sup>	15x15	15
Rural Lifestyle	4ha	n/a	n/a
General Rural	20ha	n/a	n/a
Other zones	See District Plan <b>Table SUB-1</b>		
* No minimum where land use consent and/or building consent submitted and approved			
** Where qualifying matter applies = 200m <sup>2</sup>			
*** Dimension not less than 16m x 23m, and a building square not less than 8m x 15m			

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## Process - How to subdivide your property

### Step 1 – Investigation and application

Having undertaken a preliminary assessment of relevant District Plan rules, the next step is to obtain the services of a registered surveyor to prepare your plans and submit your application for subdivision consent.

A surveyor can advise you about the most appropriate type of subdivision for your land and estimate the total cost. Application forms are available on our website or at service centres.

Once submitted to the Council your application will take approximately 20 working days to process if all the required information is provided. Processing may be delayed if further information is needed. The Council will also decide whether to “notify” the application, giving the public or neighbours the opportunity to make submissions on the proposed subdivision.

Generally applications aren’t notified if Council is satisfied the negative effects on the environment are less than minor. However, if the application is notified and any submissions are made, the Council will hold a hearing before deciding whether to grant consent.

### Step 2 – Subdivision consent

The Council may impose conditions to ensure adequate servicing of land and to address any effects on surrounding land owners and future residents. Conditions may relate to water supply, stormwater disposal, property access, or other items. Council will also require the payment of development contributions towards the cost of Council services, and financial contributions to mitigate any adverse effects of the subdivision.

### Step 3 – Certification of Survey Plan

Following consent being granted, a survey plan must be prepared by a registered surveyor and submitted to the Council for approval. This plan finalises the area and dimensions of the proposed lots. A section 223 certificate (Resource Management Act 1991) is then signed by the Council approving the survey plan. Land Information New Zealand (LINZ) will check the plan to ensure the site boundaries are correctly defined. You have five years from the date of issue of the subdivision consent to obtain a 223 certificate.

### Step 4 – Completion of Consent Conditions

Within three years of the date of section 223 certification the survey plan must be deposited with the District Land Registrar. Before this can be done all conditions must be completed to the satisfaction of Council. Engineering works will generally be inspected by the Council during the construction process.

### Step 5 – Section 224(c) Certificate

When the conditions have been satisfied the surveyor applies for a section 224(c) certificate (Resource Management Act 1991), which certifies that all conditions have met Council’s satisfaction.

### Step 6 – Issue of Title

The survey plan, along with the section 224(c) certificate and any other documentation, is sent to the District Land Registrar. If complete, and all legal matters have been attended to, the survey plan is deposited and new titles are issued for the subdivided lots.

**Disclaimer** - This information is intended as a guide only. The complete subdivision rules are contained in the Subdivision chapter of the District Plan. The District Plan can be viewed at any Council service centre or library, or on our website [waimakariri.govt.nz](http://waimakariri.govt.nz)

#### Consents / Rules / Regulations governing subdivisions that you should be aware of:

Regulations	Consents	Council	Consultants	Considerations
District Plan, Subdivision Chapter	Subdivision Consent Land Use Consent	District Plan Rules Consents process	Survey and Engineering design Private Planning Consultant	Power and telephone services
Resource Management Act	Building Consent	Development contributions	Project cost estimate Prepare consent application	Access Roading Levels Hazards

Find out more at [waimakariri.govt.nz](http://waimakariri.govt.nz), or contact Customer Services on 0800 965 468.