

Costs

As with any project, there can be substantial costs, and it is important to understand them from the start. There are four main areas of costs:

- Consent fees charged by Council for the subdivision consent and Section 223 and 224c certification.
- Surveyor costs in preparing the consent application, managing the consent process, undertaking the survey, and paying Land Information New Zealand fees.
- Legal costs in preparing documentation and getting the new titles issued.
- Costs of development required to meet subdivision conditions. Depending on the proposal, this can include financial contributions toward water and sewer schemes, reserve contributions, construction of services (water, sewer, communications and power), roading, drainage and landscaping.

Timing

The total time taken for a subdivision can vary widely, depending especially on whether or not it needs to be publicly notified, and what works are required to meet the consent conditions. We will normally take about four weeks to process a non-notified application, and only a few days to return Section 223 and 224c certificates if the requirements have been met. However, once all the other factors are taken into account, the total time taken from preparing an application to getting the new titles will normally be some months.

Tips for success

- Do your homework before committing to the proposal.
- Talk to Council staff early in the process so that you understand the process, Council's requirements, and the potential issues to be addressed.
- Make a realistic estimate of the total costs.
- Make sure that the land can be used for the intended purpose once it has been subdivided. If you (or a potential purchaser) want to build new dwellings, undertake commercial developments, change the land use etc, it is often best to deal with any consent requirements at the same time as the subdivision consent process.
- If you have any time constraints (eg deadlines in sale agreements) let the Council know.
- Make sure that you understand the conditions on the subdivision consent, and that you do what is needed to meet them (and can prove this when required).



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Please note: This information is intended as a starting guideline only. There can be many specific factors that affect a subdivision proposal, and it is only by discussing the proposal with a surveyor and council staff that these can be assessed.



Subdivisions - A Guide for Applicants



What is subdivision?

Subdivision is the process of dividing a legal parcel of land into one or more further parcels, or changing an existing boundary location. This can be done either in association with changes in land use, or to simply change the boundaries or ownership of existing land uses.

Subdivision under the Resource Management Act (RMA)

Under the RMA (section 11), Council’s approval is required to subdivide land. The definition of subdivision in the RMA includes leases for 35 years or more, unit titles, company leases and cross-leases. This means that you should check first that your subdivision is acceptable under the Clutha

District Plan (see Section 3.7. The full Plan and Maps are on the Council’s website www.cluthadc.govt.nz). If the subdivision is not prohibited under the Plan, you must then apply to us for resource consent.

The subdivision process

The subdivision process involves several stages as indicated in the chart below and discussed in further detail below. The surveyor will usually manage this process on your behalf.

Gaining a subdivision resource consent

An application for a subdivision consent needs to be accompanied by a plan showing the proposal (often called a “scheme plan”), together with an explanatory report, which includes information required by the RMA and the Clutha District Plan. As with any resource consent application, this needs to include an assessment of effects on the environment.

This application is often done before the full site survey is carried out, to avoid committing to the costs of survey without knowing whether or not the subdivision can proceed as intended.

Once we have the consent application and all the necessary information, it will usually take about four weeks to process it. However, in some cases neighbours’ approval will be required, or the application will need to be notified to allow for public submissions. In such cases you should discuss the process and implications for costs and timing with us beforehand.

Matters we will assess include:

- The District Plan and other legal requirements
- subdivision design and layout
- effects on neighbours, the general public, and the natural environment
- water, sewer and other services
- effects that the subdivision could have on Council’s roads
- safety of access to the subdivision

- any natural hazards such as flooding, faultlines, erosion, sea level rise etc.

If we are satisfied that all of these matters can be adequately addressed, then we will grant the subdivision consent. The consent is normally subject to conditions, which can require the payment of financial contributions, design and approval of the engineering details, and completion of physical works such as roading, water supply, sewage disposal and drainage.

Works carried out / conditions of approval met

The second stage of subdivision involves complying with the conditions of subdivision consent. Usually it is at this stage that a licensed cadastral surveyor will define the allotments and prepare the detailed survey plan.

Approval of the survey plan by the territorial authority

Once the surveyor has prepared the final survey plan, it is submitted to Council under section 223 of the RMA to check that it conforms with the subdivision consent. At this stage, we will also check related provisions such as easements, vesting of roads or reserves, and the provision of required legal documentation.

Once the applicant has completed all of the other requirements of the consent conditions, they seek further approval under section 224(c) of the RMA. We will check that all the conditions of the subdivision consent have been complied with (or that a bond has been provided to cover anything uncompleted). Once we are satisfied, we will issue a certificate confirming this.

The two certificates are often dealt with at the same time, as it is simpler and slightly cheaper.

Approval and Deposit by Land Information New Zealand

The final stage of subdivision involves the surveyor sending the survey plan for approval and deposit by Land Information New Zealand. Once it has been assessed correct, the plan is “Approved as to Survey” under the Cadastral Survey Act 2002.

The subdivision is then checked to ensure that all documentation has been lodged and is in the correct format for registration. Once all matters are in order the plan is “Deposited” by Land Information New Zealand. New titles can then be issued.

