

## SUBDIVISION

Section 218 of the Resource Management Act 1991 defines a subdivision.

Any change in the existing boundaries of a property is classified as a subdivision. To carry out a subdivision, you will first need a Resource Consent from your local authority, - refer **Resource Consent Guide**.

Once you have been issued with this Resource Consent you are ready to get underway with the actual subdivision itself. The Resource Consent will spell out what is required to be done with regard to satisfying the conditions of the Resource Consent. This will probably include such conditions as:

- Providing connections to the boundary for services such as Water, Power, Sanitary Sewer, and Stormwater etc.
- Providing easements for the services that are required to be installed.
- Providing adequate access, or upgrading the existing access to a specified standard.

A raft of other conditions may be imposed, and as a part of the process, a formal objection could be called for if the imposition of a condition is seen as uncalled for.

With the preparation of a Resource Consent, your consultant will have a good understanding of where the proposed boundaries are to be placed. It is now the place of the Licensed Cadastral Surveyor to establish the position in terms of the existing legal boundaries. Locating the old survey pegs and witness marks that were placed by the original survey of the lot in question does this. In conjunction with this external definition, the new boundaries are surveyed to the prescribed standard of accuracy. This survey work is closely governed by Legislation, and a Licensed Cadastral Surveyor is the only person able to certify that the records are true and correct.

On completion of the fieldwork, the process of office reduction and preparation of the required plans is carried out. From this process, 2 plans are generated. One is the Title Plan. This is used to show all the relevant boundary information, including the District Council certifications pursuant to Sections on the Resource Management Act 1991 and any other relevant legislation. The second plan is the Survey Plan. This plan shows the mathematical determination of the new boundaries.

Section 223 of the RMA, is the first part of the Title Plan that requires Councils certification. This certificate which basically saying that Council are satisfied that there has been a consent issued for the subdivision. The local authority must sign the Section 223 within 5 years of the subdivision being issued.

Section 224(c) of the RMA is the big one. The local authority, once all of the conditions of the subdivision consent have been satisfied, also sign this certificate.

The Land Transfer plan must be deposited, having obtaining the s224(c) certificate in less than 3 years from the issue of the s223 certificate – otherwise the consent lapses.

To be able to deposit the subdivision plan with the District Land Registrar, the Approving Surveyor at Land Information New Zealand must first approve the plan as to survey.

As you can see from the brief outline above, the process that is involved in carrying out a subdivision is long, complicated and at times very frustrating.

As Licensed Cadastral Surveyors, Registered Surveyors, we are in the best seat in the house to guide, advise and act in **your** best interests to make the journey as smooth as possible.

To give you an *estimate* as to the cost of carrying out a subdivision, please contact us for a more detailed discussion, as no two surveys are the same.

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