



MERCURY ARCHITECTURE

SUBDIVISION PROCESS

Subdividing your property can be a smart, lucrative option in certain circumstances, but the subdivision process often isn't as simple as you might imagine.

There are many steps involved, several parties to liaise with and different rules from one region to the next. If you haven't undertaken a subdivision before, the process can appear complex and confusing.

What is a subdivision?

Subdivisions take many forms, including (but not limited to):

- Subdividing your section into smaller sections (each with an individual title)
- Completing a boundary adjustment (e.g., selling part of your section to a neighbour)
- Converting your cross-lease property to fee simple.
- Updating your cross-lease title

How much land do I need to subdivide?

This depends on the district plan you're working under. For example, the Auckland Unitary Plan allows sections as small as 400m², but there are specific exceptions to this rule. There's no minimum lot size if you're converting your property from cross-lease to freehold.

How does the subdivision process work?

If a section is being subdivided into smaller sections (the most common type of subdivision), the process will typically look like this:

1. We will help you with the initial feasibility process
2. Our surveyor, civil engineer and Geotech engineer do their respective reports
3. We will design the new house or multi unit development for you
4. Our surveyor will prepare a subdivision scheme plan
5. Our planner /surveyor will then prepare a subdivision consent application
6. Planner, designer, civil engineer will prepare drawings and reports as required. The council will grant resource consent, subject to conditions
7. The civil engineer will apply for an EPA (engineering plan approval)
8. We will help you with the building consent drawings and documentation.
9. After consent is issued, you undertake construction work. We suggest getting a project manager to do this.
10. On completion of the construction work, application is made for a CCC (construction completion certificate)
11. Your surveyor will apply for the survey plan approval (section 223 certification). You'll need to apply for this within five years of subdivision consent being granted and the 223 certificate will expire after three years
12. Your surveyor will apply for a section 224 certification to confirm all conditions of your subdivision consent can be met (if conditions were imposed)
13. Your lawyer and surveyor will work together to lodge a survey plan with Land Information New Zealand (LINZ). The survey plan will include lodgement for new titles and any interests to be registered on the titles (such as covenants, which we'll discuss in the last section of this article)
14. Your new record of title(s) will be issued.

There may be a need to work with service providers like Chorus and/or Vector to obtain easements. For example, an easement may be required for internet access, as the lines to establish this service belong to Chorus. These lines will have to run through your property so that buildings on the property can establish an internet connection. Therefore, Chorus must have the ability to access your property, which means an easement is required.