

Can I subdivide my property?

The subdivision of your property requires a Resource consent under the Council's District Plan, as subdivision is recognised under Section 11 of the Resource Management Act as an activity/process distinct from a land use activity.

You should contact the Council at the start of your subdivision process to find out about any District Plan rules that may apply to your property and to determine the type of application and information that will be required.

This leaflet is intended as a guide only.

For further advice and information, please contact Regulatory Services at Papakura District Council on 295 1300, or visit the Council offices at 35 Coles Crescent, Papakura between the hours of 8.00am to 5.00pm Monday to Friday.

Information Guides are also available on:

- Building Consents
- Complaints and Feedback
- Development Contributions
- Dogs
- Land Information Memorandums
- Liquor Licencing
- Project Information Memorandums
- Resource Consents (Land Use)
- Swimming Pools
- Treated Timber



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A GUIDE TO SUBDIVISIONS IN PAPAKURA



Papakura District Council
lifestyle and opportunity

What is a Freehold Subdivision?

A Freehold subdivision is the most common type of subdivision and is one where each site is independent from other sites, has legal frontage to a road and its own Certificate of Title.

What is a Cross-Lease Subdivision?

A Cross-lease subdivision creates two legal estates whereby multiple owners own the freehold land undivided in common with each other and lease the buildings on it.

Covenants in the lease agreement typically give each other exclusive use of buildings and a defined area of the land. Some common area may also be defined.

What is a Unit Title Subdivision?

A Unit Title subdivision is one where buildings or parts of buildings, have individual unit titles, while the remainder of the site is owned in common.

There is a body corporate to maintain the common land or buildings, and to arrange replacement insurance and parking arrangements on site.

This type of subdivision is often used for multidwelling, multilevel townhouses, apartments or industrial developments.

What do I do first?

After you've met with the Council duty planner, you should employ a representative (generally a registered surveyor) to advise you on how to subdivide your property and to draw up a proposed subdivision scheme plan.

This plan and accompanying report are submitted to the Council as part of your application for subdivision consent. The Council then determines whether your application needs to be publicly notified.

The public have an opportunity to make submissions on the proposed subdivision. Council staff will advise you of any further requirements such as geotechnical reports, traffic impact or flood hazard assessments.

If your subdivision includes any land use activities such as earthworks or the removal of significant vegetation, you may also require a Resource Consent for the land use.

How long will my application take?

Processing a Resource Consent application is generally simpler and faster if you have already had a pre-application meeting with the Council.

However, processing time varies and depends on what level of impact the works will have on the environment, the nature of the application, whether or not you have provided us with sufficient information and whether your application needs to be publicly notified.

How long is a Subdivision Consent valid for?

A subdivision consent is valid for five years and is granted subject to certain conditions which may include a Reserves Contribution, other financial contributions, specific engineering conditions and/or hazard avoidance/mitigation measures.

What is a 223 Certificate?

The section 223 Certificate certifies that the plan of the subdivision and any easements or covenants is approved by Council.

Once subdivision consent is granted, you have two years to have the section 223 certificate on the survey plan signed by Council. The survey plan, which must be legally prepared by a Registered Surveyor, finalises the areas and dimensions of the proposed lots.

When do I have to complete the conditions of my consent?

You have three years from the date of section 223 certification to get the survey plan deposited by the District Land Registrar, otherwise the subdivision lapses. During this three year period, you need to complete the conditions of subdivision consent.

When do I receive a Section 224(c) Certificate and Issue of Title?

Once you have complied with (or where appropriate, bonded for or a consent notice is issued) all the conditions of your subdivision consent, your consultant may request that Council issue the Section 224(c) Certificate, certifying that all conditions have been met to Council's satisfaction.

Once all other legal matters have been attended to such as consent notices, easements, mortgagee's consents, etc., your solicitor will send the Section 224(c) Certificate and other documentation to the District Land Registrar. If complete, the survey plan is deposited and the titles are issued for the subdivided lots. Your subdivision is now complete.

How much will it cost?

The costs associated with subdivision vary from property to property.