

It's all about planning

Published September 2009

It may come as a surprise to many, but the rules relating to subdivision and planning are regularly under review. Seldom does a month go by when we don't receive notification from one Council or another - and we only deal with those in the Bay of Plenty, Greater Waikato and Coromandel areas.

Currently there are many District Plans under full review, including Western Bay of Plenty, Hauraki and Tauranga. We believe that out of these will come major changes that restrict your ability to subdivide and how you can develop your property – such as the number of houses you are allowed to build.

Major reviews of the Rules are expected in Waikato and Waipa following recent consultation and growth studies. Changes can take place at any time without a full revised District Plan and often catch people out. This could destroy your best made plans.

There are many reasons for these changes. Firstly, the Resource Management Act requires Councils to review plans every ten years. This requirement is proposed to be dropped in upcoming Resource Management reform. Then there is a general tendency for rural Councils to restrict the ability to subdivide lifestyle blocks in the popular areas around our larger cities such as Tauranga and Hamilton – a valid initiative to protect the productive land resource. Many changes are needed to fine-tune the rules for valid sensitivity and safety reasons, protecting future residents from the undesirable effects of the changing and often competing land uses.

When Councils notify a change to the rules there is an opportunity for you to submit your comments and participate in the debate on the new rules. While the hearing process is underway Councils may accept applications under the previous rules. However, that is not always the case and the process is always harder (read 'more expensive') once a new rule is proposed.

To avoid getting caught up in these issues you must be proactive with future plans for your land. Nothing gets easier. Have you purchased or held onto your land with development in mind – building a new home, subdividing a retirement block, selling some land to finance the farm or a commercial venture or disposing of an unproductive corner? If so, don't believe that when you finally get around to it the rules will be the same as when you first developed the idea. Plan ahead and seek advice from a professional land surveying company now. Find out for sure if your dreams can become a reality.

By Brent Trail – Managing Director