

New Farm – Different Rules

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If you move to a new farm in another district the chances are you will need to learn the rules over again. The whole country is governed by one Resource Management Act but all local authorities interpret it in a different way. How you can subdivide or build on your land differs between districts even if you are only moving a few kilometres over the district boundary. The only thing that is certain is that there will be a stack of rules to comply with if you want to develop your property, unless you are lucky enough to have purchased in Waitomo or Otorohanga districts, where a liberal stance and low fee structure encourage development. In these districts proposals are truly assessed on their individual merits under a real “effects based” system.

Outside these districts there are strict rules relating to minimum sizes and number of lots allowed to be subdivided, in addition to minimum yards and set backs from the road for new houses. Some Councils such as Western Bay of Plenty are now moving to limit each rural property to only one house whilst other Councils allow more depending on the size of the property.

The minimum lot size when subdividing varies hugely and, almost always, the age of title and original size dictates possibilities. In Waipa and Waikato it is often possible to create a lifestyle lot of 5000 square metres – just over an acre. Similar rules still allow these smaller lots in some parts of Hauraki and Whakatane; however Western Bay of Plenty District is currently trying to stop these small lots in favour of a minimum 40 hectare pastoral block and eight hectare horticultural block.

Franklin and Thames Coromandel generally only allow smaller blocks when you are protecting or re-establishing native bush or wetland. This theme is carried though many District Plans and in the future may be the only way to create lifestyle blocks i.e. where you undertake to protect or enhance ecological features of value to the community.

Rules are set by each Council and governed by the Resource Management Act 1991, although this legislation is very broad and intended to enable development subject to minimisation of effects on neighbours and the community. For this reason rules can vary from being very liberal to very prescriptive depending on local attitudes to growth and the economy.

Currently we are witnessing a rapid swing towards more control by Councils in reducing and redirecting subdivision, so don't rely upon hearsay. Check out the rules in your area by talking to a professional subdivision company or follow the links to your local Council on www.surveyingservices.co.nz

By Brent Trail – Managing Director