

Time Runs Out for Subdivision

Published February 2010

Throughout the Waikato and Bay of Plenty, Councils are engaged in a rethink of their subdivision policies.

By the time you read this, Western Bay of Plenty District Council will have announced a decision on new subdivision rules following their consideration of public submissions. They are expected to uphold their decision to stop lifestyle subdivision in most of the District. Many are hoping to see a reduction in the proposed minimum rural lot size – they see the minimum size of 10ha for horticultural and 40ha for agricultural as too large.

In WBOP District the number of applications doubled last year as landowners took advantage of the old rules and secured approvals whilst they could. There may still be time to protect your investment and gain consent if the rules are appealed to the Environment Court prior to being finalised.

Other regions are also in for a shock with their rules currently under review. In particular Hauraki, Waipa and Waikato District Councils are set to consider limiting subdivision opportunities.

Hauraki has already tabled its proposed changes with official notification expected soon. They have chosen to stop lifestyle blocks altogether on the Hauraki Plains in favour of allowing more intense development on the adjacent foothills and around Waihi. You may be pleasantly surprised at what you can subdivide outside the Plains Zone. However, if you are on the Plains you will lose flexibility with the proposed minimum lot size of 40ha.

Waipa District has provided opportunities over the years to create lifestyle blocks but that is under review right now. As well as allowing subdivision of lifestyle blocks from larger properties on the basis of one per 25ha, Waipa currently allows “retirement blocks” to be subdivided off when the owner has had an association with the block for over 15 years. We expect the current review to look at tightening these rules in the coming months.

Waikato currently allows lifestyle blocks to be cut off most large units with a limit of two per existing title. Although they haven’t officially announced a review at this stage, the writing is on the wall and everything is likely to be up for review once they absorb some of Franklin District this year following the establishment of the Super City.

It’s no wonder people are advancing their plans to secure some additional titles now whilst they still can. Otherwise when they need to diversify or sell some land to finance farm improvements their opportunity could well be gone.

If your future plans involve subdivision of your land in any way or you think you might need that flexibility you must discuss your plans with a professional surveying company now to avoid disappointment.

By Brent Trail – Managing Director