

## RMA Planning/Resource Consents

# SUBDIVISION

### Frequently Asked Questions

**FAQ** Refer to the **Nelson Resource Management Plan (NRMP)** for rules in full

#### Can I subdivide my property?

All subdivisions (including boundary adjustments and unit titles) require resource consent. The Council must grant subdivision resource consent if the proposed lots meet minimum sizes, are serviced in accordance with minimum standards, have sufficient legal and physical access (Council's Land Development Manual specifies minimum standards for services and access) and all other relevant rules and standards are complied with. Applications not meeting required standards are considered on a case by case basis. The following table shows the minimum lot sizes for the various zones:

<b>Zone</b>	<b>Minimum net area (excluding access legs)</b>
<b>Residential</b>	400 m <sup>2</sup> except.....
Lower density area	600 m <sup>2</sup>
Stoke lower density area	1000 m <sup>2</sup> average with a minimum of 850 m <sup>2</sup>
Higher density area	300 m <sup>2</sup>
Port/airport effects control overlay	600 m <sup>2</sup>
<b>Rural</b>	15 ha except.....
Lower density small holdings area	3 ha
Higher density small holdings area	1 ha average with a minimum of 5000 m <sup>2</sup> (there are also scheduled sites where different standards apply)
<b>Other zones</b>	No minimum area
<b>All zones</b>	Every allotment is a regular shape capable of having a building or activity that complies with the particular zone rules. Existing buildings and access must also comply with relevant zone rules with the proposed changes or an additional land use resource consent is required. Any exposure to natural hazards for the new allotments must be addressed.

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### **What will I need to apply for resource consent?**

A completed application form including: an assessment of environmental effects; a subdivision plan (scheme plan); current (less than 3 months old) certificate of title (note and address any existing restrictions on the title); and the required deposit.

*Note – surveyors and planning consultants can assist you with your application or apply on your behalf. They can advise likely total costs for the project.*

### **What happens after getting consent from the Council?**

It is likely your resource consent will be issued with conditions; many will require various easements to be registered. These must be included on a title plan (done by a registered surveyor) that gets submitted to Council for approval. All other conditions need to be completed and any development contributions paid before you can apply to Council for a completion certificate. You can then lodge the title plan and completion certificate with Land Information New Zealand (LINZ) who issue the new titles. Your lawyer will usually apply to LINZ for the new title.

### **What is a Right of Way?**

This is a right given to owners and occupiers sharing a private common access or driveway to their property (not a public road). When a right of way is proposed the Council can apply conditions regarding the layout and formation. Then it is up to the owners/occupiers to repair and maintain it and abide by the terms for having this shared access as identified in the easement document.

***This FAQ only mentions some rules. Other rules and exceptions may also be relevant. Do not rely on this FAQ to make decisions about your property.***

Plan changes occur from time to time and this FAQ will be updated to reflect the relevant changes as soon as is practicable. In addition to standards and consents required under the Resource Management Act, the proposed activity may also need building consent, licences and permits under other legislation such as the Building and Health Acts.

***Please see the Nelson Resource Management Plan for full details or seek further information from the Council by one of the methods listed below:***

To download relevant parts of the Plan, check zoning maps on the GIS system and download application forms in the Building and Planning section of our website:

[www.nelson.govt.nz](http://www.nelson.govt.nz)

Phone for an appointment with the duty planner:

546 0200

Duty Planner email:

[dutyplanner@ncc.govt.nz](mailto:dutyplanner@ncc.govt.nz)