



All the information you need to know about Council services during Level 2. [Read more here](#)

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# Subdivision Rules

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## What is a subdivision?

Subdivision normally involves the creation of new lots which gain title and can be bought, sold and developed by the current owner or other people. In some cases existing title boundaries may also be changed (commonly called boundary adjustments) which is also a type of subdivision.

The following information is about subdivision in the Residential, Rural and Lifestyle Zones.

## Residential zones

Land in residential zones can be subdivided by applying for a resource consent. The District Plan sets out requirements for subdivision and specifies the following minimum lot size requirements:



Katikati, Te Puke and Waihi Beach	350m <sup>2</sup>
Omokoroa Stage 1	400m <sup>2</sup> with a maximum average of 800m <sup>2</sup>
Omokoroa Stage 2	350m <sup>2</sup> with a maximum average of 650m <sup>2</sup>
Omokoroa Existing Village	600m <sup>2</sup>
Maketu - Greenfield areas connected to a reticulated wastewater supply with a minimum parent lot size of 3000m <sup>2</sup>	Minimum 350m <sup>2</sup> Average 600m <sup>2</sup>
All other residential areas	800m <sup>2</sup> subject to compliance rule 12.4.6 and 12.4.7

## Rural zone (excluding Matakana Island)

### General farming lots

In the Rural Zone the minimum lot size is 40 ha. This means a total land area of 80 ha is required to be able to subdivide.

### Rural production lots

In addition to the above, in the Rural Zone you are able to subdivide to create Rural Production Lots with a minimum of 6ha of versatile soils. These are for horticultural use and must meet a set of criteria listed in the District Plan to prove the land is versatile'. This will need to be carried out by a suitably qualified professional in the area of soil science or agricultural economics.

#### Notes:

The above subdivision rules exclude any titles that have been boundary adjusted in order to meet the lot sizes necessary for subdivision.

No subdivision is provided for on Matakana Island until the Whole of Island Plan is developed.

### Transferable rural lot entitlements

This rule allows existing lots that meet age of title and size to obtain a transferable rural lot entitlement for use in the Lifestyle Zone.

Less than 4.0ha	No potential for a rural lot entitlement
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7.99ha	was lodged prior to 1 August 1992 to have potential for one transferable rural lot entitlement
8.0ha to 29.99ha	Certificate of title needs to have been issued prior to 22 November 1997 to have potential for one transferable rural lot entitlement
30.00ha+	Title needs to have been issued prior to 22 November 1997 to have potential for two transferable rural lot entitlements

## Protection lots

Additional lots may be created using the Protection Lot rule by protecting features of significant ecological, landscape or heritage values (as identified in the District Plan).

Below is the minimum size of a Significant Ecological Feature dependant on the feature type and if the feature is identified in the planning maps as a significant ecological feature or not. This area is per title.

Feature Type	Shown as a Significant Ecological Feature in the Planning Maps	Not shown as a Significant Ecological Feature in the Planning Maps
Tall Forest (e.g. tawa, rimu)	3ha	5ha
Regenerating/secondary forest(e.g. mahoe, kamahi, kanuka, tree fern)	4ha	8ha
Secondary Shrubland	5ha	10ha
Riparian margins (above MHWS)	500m in length and min 20m wide	500m in length and min 20m wide
Natural Wetlands (above MHWS)	0.5ha of wetland surrounded by 10m indigenous buffer	0.5ha of wetland surrounded by a 10m indigenous buffer

If you think you may qualify for a Protection Lot subdivision the first step is to have an ecological assessment carried out to ensure the feature qualifies as a Significant Ecological Feature.

**The following Council approved ecologists can assess and determine whether an area qualifies for protection lot subdivision:**

**Boffa Miskell** - 116 Cameron Road, Tauranga 3110 - Phone: 07 571 5511 - [www.boffamiskell.co.nz](http://www.boffamiskell.co.nz)

**Lawrie Donald** - 87A Sharp Road, Katikati 3178 - Phone: 07 549 0471 Email: [lahjdonald@outlook.com](mailto:lahjdonald@outlook.com)



**Pattle Delamore Partners Ltd** - P O Box 13274 Tauranga 3141 - Phone: 07 213 0858 - Email: [Tauranga@pdp.co.nz](mailto:Tauranga@pdp.co.nz) Website: [www.pdp.co.nz](http://www.pdp.co.nz)

**Thomas Consultants Ltd** - P O Box 13002 Tauranga 3141 - Phone: 027 563 3550 (Gary Scholfield) - Email: [gary.scholfield@tcec.co.nz](mailto:gary.scholfield@tcec.co.nz), Website: [www.thomasconsultants.co.nz](http://www.thomasconsultants.co.nz)

**Wildlands** - 558 Maunganui Road, Tauranga 3116 - Phone: 021 675 749 - Email: [selene.conn@wildlands.co.nz](mailto:selene.conn@wildlands.co.nz), Website: [www.wildlands.co.nz](http://www.wildlands.co.nz)

Standard conditions relating to fencing, weed eradication and the registration of legal covenants will be imposed on the consent. The resultant subdivision ability can be used in one of two ways:

## Onsite protection lot subdivision

In the Rural Zone up to five additional lots can be created from a qualifying feature on the same site. Each lot created on site is to be a maximum of one hectare.

Transferable Protection Lot Subdivision (to the Lifestyle Zone)

Council also has available a transferable right provision to transfer the additional lots to another landowner. This is known as Transferable Protection Lot subdivision. These can only be transferred into a recipient property within the Lifestyle Zone.

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## Lifestyle zone - subdivision within the lifestyle zone

Structure Plans have been developed for Minden and Te Puke Stage 1. Subdivision can occur by importing in subdivision rights. This can occur in three ways:

### Transferable protection lot subdivision

Here Significant Ecological Features in the Rural Zone can be protected in exchange for a subdivision ability that can be transferred into the Lifestyle Zone.

### Transferable amalgamation lot

Here vacant titles in the Rural Zone can be amalgamated and the resultant subdivision right can be transferred to the Lifestyle Zone.



Lots in the Rural Zone that meet specific size, age and title requirements can be eligible to transfer this rural lot entitlement into the Lifestyle Zone. Transferable Rural Lot Entitlements can also be used to subdivide around existing additional dwellings in the Rural Zone. Ask the Duty Planner for details.

## Boundary adjustments

The Proposed District Plan also makes provision for boundary adjustments between titles and general lots.

Any two or more adjoining properties may be boundary adjusted if the landowners agree to rationalise or amend their titles. Minimum standards for access and building sites must still be complied with. You are not able to boundary adjust a complying lot to make it non complying or increase the total number of non complying lots that are being boundary adjusted.

## Subdivision criteria

If your property qualifies for subdivision there are a number of planning and engineering matters which need to be met otherwise Council may not be able to grant consent.

### Yards

All minimum yard setbacks for buildings in the residential, rural or lifestyle zone are required.

### Road access

The subdivision must be served by a legal public road that is formed (sealed or metalled) and is currently maintained by Council. Vehicle access to the new lots must comply with sight distances and formation standards

### Building site

Every new lot created must contain a building site which is suitable for conventional residential development.

### Financial contributions

Financial contributions are collected from new subdivisions to help fund the impacts which the new lot will have. For example, new people in the District will create additional traffic on our roads, and will require the use of existing services. These can range from \$20,000 to \$40,000 per lot dependent on the section's sale price. See the [resource consent fees and charges](#) for details.

## Steps to subdividing

1. Check provisions of Council's District Plan
2. Talk to Council staff
3. See a Surveyor, they can make the application on your behalf



6. Decision issued. An approved decision will be subject to conditions.
7. Engineering plan approval
8. Carry out construction works
9. Lodge an application for post subdivision s223 and s224 certification
10. Certification and associated legal documents lodged with LINZ by your surveyor/lawyer
11. New certificate of titles (computer register) created

## Further information

Please contact Council's duty planner via our [Duty Planner service](#) if you would like further information or refer to information in the [District Plan](#) and application form.

*Please note: This information has been produced to assist you in understanding planning rules and procedures. It does not contain all District Plan or statutory requirements.*

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### CONTACT DETAILS

PHONE: (07) 571 8008

OR : 0800 926 732



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ALL ENQUIRIES 24 HOURS

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