Appendix F: Basic steps of a subdivision
The Subdivision Process

This Appendix looks at the subdivision process and the list below outlines what details each of the following flow charts covers:

A. Basic Steps in a Subdivision
   This flow chart outlines the basic steps that a surveyor must undertake in order to carry out a subdivision. This includes dealing with the Territorial Authority (TA) and Land Information New Zealand (LINZ).

B. Detailed Subdivision Flow Chart
   This chart shows the process the surveyor must undertake (in more detail) in order for the proposed subdivision application to be lodged with the TA.

C. The Consent Authority’s Part in the Process
   This chart details the process the subdivision application has to follow at the Consent Authority to the stage of approval (with or without conditions) or is declined. Once the consent is granted, the surveyor has 5 years to prepare and submit the full Land Transfer survey to the TA for approval; otherwise a new consent will be required.

D. The Land Transfer Survey
   Once the subdivision has been approved (with or without conditions) by the TA, the surveyor can then proceed to a full Land Transfer survey of the site and prepare the dataset ready to send to LINZ. This chart outlines this process (including survey fieldwork and the issuing of s223 and s224 certificates by the TA).

E. The Land Information New Zealand (LINZ) Process
   This chart details the process that LINZ undertakes in order to ensure that the survey dataset that has been sent in by the surveyor is correct. Once the dataset is approved by LINZ, the surveyor’s job is finished and a solicitor will deal with getting the Titles issued.

F. Process of Vesting Assets in Council
   This chart details the process of construction approval, the s224 certificate approval and the vesting of assets in the TA.
**Basic Steps in a Subdivision**

1. **Take instructions from Client. Obtain signed Short Form Agreement.**
2. **Prepare Preliminary Plan and Consent Application.**
3. **Submit Preliminary Plan and Consent Application to Territorial Authority (TA) for consent approval.**
4. **Receive approval from TA.**
5. **Advise Client of Approval and any conditions attaching thereto.**
6. **Carry out Land Transfer Survey. Prepare Survey dataset. Write all reports and do QA checks.**
7. **Obtain formal approval from the TA.**
   - 10 Working Days permitted.
8. **Lodge dataset with Land Information New Zealand for “Approval as to Survey”. When given advise Client and Solicitor. Solicitor takes over to order the new titles. Surveyor’s role is completed.**
Detailed Subdivision Flow Chart

1. Take Client instructions and review check sheet with Client.
2. Visit site, preferably with the Client, take measurements required to enable the preparation of the Preliminary Plan and Resource Consent. Allow 10 working days.
3. Check with the Consent Authority for services location. Contact utility suppliers for any special requirements they may have. Obtain survey data and certificates of title. Draw Preliminary Plan and prepare Resource Consent Application.
4. Send draft to Client and Solicitor for Approval
   - Client and Solicitor to review and advise Surveyor of any changes.
5. Approved
   - No: Make any required changes
   - Yes: Resubmit to Client and Solicitor
6. Client and Solicitor have approved the Application. Proceed with submitting the application to the Territorial Authority for consideration. See page 2 for next stage.
The Consent Authority’s Part in the Process

Preliminary Plan and Consent Application are submitted to the Territorial Authority for Consent.

20 Working Days permitted under Resource Management Act for the next process.

The Territorial Authority processes the application under the District Plan Rules relating to the application and either; declines the application; or; approves the application with no conditions; or; approves the application with conditions.

Application Declined – reasons must be given.

Application Approved with no conditions.

Application Approved with conditions – conditions are final and cannot be revisited by TA.

Exercise appeal rights.

Appeal successful.

Appeal declined.

Advise Client of approval.

Advise Client and discuss conditions, advise requirements to comply

Consent is valid for 5 years from the date of approval. At any time the Client can instruct the Surveyor to proceed with the formal Land Transfer Survey. This must be completed and formally approved by the TA within the 5 year period or a new consent must be obtained or an extension sought.

Go to High Court on matter of law only.

High Court action unsuccessful.

High Court action successful.

Re-think application and consider options.

Proceed with formal Land Transfer Survey. See page 3

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The Land Transfer Survey

Client advises the Surveyor to proceed with the formal Land Transfer Survey and seeks an estimate of the time it will take.

Surveyor reviews Client brief, checks that all the required data has been obtained and no new surveys have taken place in the area that may affect the survey.

Surveyor and Field Assistants come on site and locate old survey marks sufficient to comply with the Surveyor Generals Rules, carry out all the required traverse work and look for any other old marks required to prove the survey is correct.

In the office the Surveyor carries out calculations to compare the new survey with the old, calculate the new boundaries, the areas of the new lots being created and the position of any new boundary marks to be placed. At this stage the final Survey Dataset is almost complete.

If final boundary marks are to be placed the Surveyor returns to the field and places these and returns to the office to complete the dataset.

Client has completed all the conditions of consent, if any by this stage.  Surveyor completes dataset and carries out final checks.

Client advises Surveyor if all conditions completed.  Surveyor submits the dataset to the TA for formal approval. The Surveyor will also advise the TA of the state of the completion of the conditions.

Territorial Authority issues a Section 223 Certificate, and, if all conditions have been completed, a Section 224 Certificate.

The TA has 10 working days to issue the requested certificates. They will check the state of the conditions in this time.

The TA will issue the required certificates and these are attached to the dataset. The Surveyor lodges the dataset with Land Information New Zealand for “Approval as to Survey. For the part played by Land Information New Zealand see page 4.
The Land Information New Zealand Process

Land Information New Zealand receives the dataset and issues to the Surveyor a “Notice of Plan Lodgement” – effectively a receipt.

Land Information New Zealand have given an undertaking to the Survey Profession to process hard copy datasets within 20 working days and eSurvey datasets within 10 working days.

Land Information New Zealand validates the new dataset against the previous surveys checking that there are no gaps or overlaps and the definition of the existing boundaries matches the existing record or, if there are differences, the Surveyor has explained these in the survey report.

Validation by Land Information New Zealand finds the survey correct.

Land Information New Zealand has questions regarding the definition or other aspects of the survey.

“Requisition Notice” issued to Surveyor.

Surveyor complies with the Requisition and returns the dataset to Land Information New Zealand.

Surveyor advised of “Approval as to Survey”.

The Surveyor’s part in the process is now complete. The Surveyor will send a copy of the “Approved as to Survey” dataset to the Client and the Client’s Solicitor. The Surveyor will prepare the final account and render it to the client.

The Client’s Solicitor will take over and, if all the conditions of consent are completed to the satisfaction of the TA, will be able to “Deposit” the dataset at which time the titles will issue in the name of the Client and be available for transfer to the new purchasers.
Process of Vesting Assets in Council

1. Design approved by TA

2. Developer notifies TA who will be the contractor and Independent Qualified Person (IQP) to oversee the construction of the project.

3. Level of supervision and Hold Points agreed by TA and IQP.

4. Construction takes place with appropriate checks and Hold Points.

5. Final inspection involving:
   - IQP
   - Developer Contractor
   - TA Officers
   - TA Maintenance Contractor

6. If ok
   - TA Requires:
     - As-built drawings
     - Producer Statements
     - Test Results
     - Any other Reports Required
     - Retention Bond (for defects period)

7. TA issues s224 when all conditions satisfied. **Note:** Developer can apply for 224 at any stage. Defects liability period Commences. Developer still responsible for maintenance of development.

8. Surveyor lodges dataset with LINZ for ‘Approval as to Survey’. **Note:** Surveyor can lodge before or after 224 certificate approved.

9. Approval as to Survey Received by Surveyor. Developers Solicitor can call for the new titles. When the titles are issued the plan becomes Deposited. Any land to Vest as Road or for any other purpose vests in the TA at the moment of Deposit.

10. TA maintains road and services, however defects relating to construction of project must be fixed by Developer. TA updates Asset Register and Council Maintenance Schedule.

11. End of defects liability period. Inspection carried out by same people as in final construction inspection.

12. If ok – Bond Returned

13. If not ok – complete to repair