



# Taranaki Property Investors

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# What is the role of a Surveyor

The surveyor is central to any land development, with a broad knowledge of planning and engineering to the more specific requirements of subdivision and land titles.

The surveyors role includes:

- Scheme plan and resource consent preparation
- Liaising with and receiving specialist reports
- Topographical and engineering related surveys
- Project and contract administration
- Post construction surveying
- Cadastral surveying and liaising with solicitor.
- Set out for new buildings and certification of compliance with building location and height.



# What does it cost?

- Typical surveying fees for two lot in-fill subdivision \$15K

## Additional matters to consider

- Development Contributions \$8K
- Services and vehicle crossing \$20K
- Electricity, gas, telephone \$5-10K
- Engineering Report \$2K
- Legal \$5K

**Say \$60K + GST**

If new Rights of way are required or you're undertaking a greenfield subdivision per lot costs are approximately \$80-100K + GST



# What are my options?

## **Freehold Subdivision**

Freehold subdivision occurs where new allotments are created under the Land Transfer Act 2017 and ownership is held in an estate in fee simple. Fee simple means that the ownership of the land and any building on it is held solely by the person(s) listed on the record of title. **Freehold is the most common form of subdivision.**

## **Cross Lease Subdivision**

Cross lease used to describe an interest in land whereby the purchaser of a dwelling obtains a lease of that dwelling together with an undivided share in the underlying land. The cross-lease title is a single title document recording the proprietors' undivided share in the land and a lease of the particular dwelling. Cross-lease titles may include common use areas and exclusive use areas. Any changes to a cross-lease site or building requires the consent of all other owners.

## **Unit Title Subdivision**

Unit Title subdivision is where more than one dwelling or building is built on land with a single record of title and separate ownership is required for each dwelling or building. This includes multi-storey developments and the unit title allows for ownership to be defined in three dimensions.

# Common mistakes



1. The most common mistake is under estimating requirements for obtaining a Resource Consent and complying with those conditions.
2. Failing to engage your solicitor and accountant at an early state, to ensure you're aware of any tax implications and legal matters are addressed.
3. Dismissing the importance of consultation with Iwi/Hapu and other affected parties.
4. Overlooking consenting requirements with Local and Regional Authorities, which can lead to abatement notices and legal action. Common complaints concern silt and dust associated with earthworks.
5. Poor due diligence – undertaking a thorough check of the Record of Title to ensure you're aware of all easements, covenants and consent notices affecting the land.

# Things that can go wrong

## 1. Boundaries are not where you expect

Often the position of legal boundaries may not coincide with existing fences or the Record of Title is Limited as to Parcels i.e. the underlying survey information is extremely old and the Crown doesn't guarantee the area or dimensions shown.

*In this instance a thorough search of the Title, survey plans and aerial photography may determine whether you should either repeg the boundaries or removing Limitations as to Parcels before finalising your plans.*

## 2. Poor ground and stormwater related matters

Often ground conditions may not be as you expect and can impose significant additional costs in relation to earthworks, retaining walls and stormwater.

Not only are these costs monetary but can also be subject to Easements and Consent Notice. i.e. increased building set backs, specific engineering design, minimum height of floor level and no build.

*Consult your engineer early as their maybe cost efficient methods to address these matters early.*



### **3. Where are my services?**

- Do I have any public sewer and stormwater mains crossing my property and have I considered set backs from these.
- Is their sufficient capacity in the sewer, water and stormwater network for the additional allotments.

*Will I be required to upgrade an electricity transformer, or contribute to off-site infrastructure upgrades.*

- Is the nearest fire hydrant within 145 metres, or will I need to extend the water reticulation.

### **4. Is my land accessible?**

- Can we access the site safely?
- How far are we from other entrance ways and intersections?
- Do we have clear sight visibility?

### **5. Is my site contaminated by a previous land use?**

- Checking the Taranaki Regional Council database in the first instance will identify whether your property is a registered HAIL site?
- Alternatively you may be required to undertake a Preliminary or Detailed Site Investigation should you be changing land use i.e. industrial/rural to residential.

## 6. Affected Parties

- Does my property contain a watercourse and have I consulted with Iwi and Hapu
- Does my proposal increase the number of users on a right of way and have I received consent from the other users.
- Does my proposal comply with the effects standards concerning set backs from boundaries, coverage and daylighting.

## 7. Timeframes

- An affected party is with holding consent – should I consider limited/public notification \$\$\$\$
- Delays in receiving resource consents, plan approvals, consent notices and covenant documentation.
- Contractor availability
- Removal of limitations as to parcels - written consent from adjoining property owners may be disinterested, so a formal 40 Working Day notification period is required following LINZ approval of the survey plan and prior to deposit and issue of the new titles.



# Where do I start?

- Contact McKinlay Surveyors**
- Solicitor
- Accountant
- Planning and Consent considerations – Operative/Proposed District Plans
- Does this affect my neighbours?
- Site topography
- Cultural/Archaeology/Historic Sites
- Serviceability
- Geotechnical and Stormwater Constraints – Contact engineer
- Previous land use – is this a contaminated site
- New build – Contact GJ Gardner



# Thank You

Please contact us to discuss your next project and receive our Project Information Memorandum



[www.mckinlaysurveyors.co.nz](http://www.mckinlaysurveyors.co.nz)