
THE GUIDE TO

Building on a New or Recently Subdivided Property

A practical guide to building on a new or recently subdivided property, including design, site investigations, consents and the steps from concept to completion.



A practical guide to title, site investigations, consents, construction and final sign-off.

In broad terms

Building on a new or recently subdivided property involves two related but separate processes: establishing a site that can lawfully be used as intended, and obtaining the approvals needed to construct the proposed building. The exact pathway varies by property, council, district and regional plan, ground conditions, servicing and the design itself.

The key point

Do not assume that a new title, a subdivision consent or a marked building platform automatically means that any proposed house can be built there. The intended building still needs to work with the title, planning rules, site conditions, services and Building Code requirements.

1. Understand the subdivision and title position

Where a site is being created by subdivision, the developer will usually have a subdivision resource consent with conditions that must be satisfied before the new titles can issue. These conditions can deal with matters such as access, servicing, stormwater, wastewater, earthworks, natural hazards, landscaping, easements or other site-specific requirements.

The survey plan must be approved and the relevant subdivision conditions satisfied before the territorial authority issues the certificate required under section 224(c) of the Resource Management Act 1991. The survey and legal documents are then lodged with LINZ so the plan can be deposited and new titles issued.

- Read the proposed or issued record of title, not just the marketing plan.
- Check easements, land covenants, consent notices and other interests that may limit building position or use.
- Confirm legal and practical access, including any shared drive or right of way.
- Check where power, telecommunications, water, wastewater and stormwater connections actually are and who pays to extend them.
- If the title has not yet issued, understand the conditions in the sale agreement dealing with timing, title changes and your right to approve or object to material changes.

2. Investigate the site before design becomes expensive

The building site can drive cost as much as the house itself. Early investigation reduces the risk of designing a building that later requires expensive foundations, retaining, earthworks, drainage changes or redesign.

- Ground conditions and geotechnical advice, particularly on fill, soft ground, instability or sloping sites.
- Flooding, overland flow paths, coastal or other natural-hazard information.
- Site contours, boundaries and any uncertainty that warrants a survey.
- Vehicle access, driveway gradients and construction access.
- Water supply, fire-fighting water where relevant, wastewater and stormwater disposal.

- Existing services and easements, including whether proposed foundations or retaining walls conflict with them.
- Sun, wind, views, privacy, setbacks and any development controls affecting the preferred building position.

A Project Information Memorandum (PIM) is optional under the Building Act 2004 but can be useful early in the process because it provides council-held information about the land and other legal requirements that may affect the proposed work.

3. Assemble the right team

The project team depends on the site and design. It commonly includes some or all of the following:

- architect or architectural designer;
- licensed building practitioner where restricted building work is involved;
- geotechnical and structural engineers;
- licensed cadastral surveyor;
- planner or resource-management adviser;
- stormwater and wastewater specialists, particularly for unserviced rural sites;
- builder or quantity surveyor for buildability and cost input; and
- property lawyer for title, covenants, easements and contract matters.

Good sequencing saves money

The cheapest time to discover a planning, geotechnical or servicing constraint is before detailed design. Concept design, site investigation and planning checks should inform one another rather than being treated as isolated steps.

4. Resource consent – only where the planning rules require it

A resource consent is not automatically required for every new house. Whether one is needed depends on the district and regional planning rules and the particular proposal. Resource consent can be required for matters such as building location or height, earthworks, vegetation removal, access, natural hazards, wastewater or stormwater discharges, works near wetlands or waterways, or other controlled activities.

Some work near natural inland wetlands and waterways is also regulated by the National Environmental Standards for Freshwater. These rules have changed over time and should be checked against the current regulations and the specific site rather than relying on older distance-based rules of thumb.

5. Building consent

Most new dwellings require a building consent. The building consent authority assesses the proposed work against the New Zealand Building Code. The statutory processing period is generally 20 working days from receipt of a complete application, but the clock stops if the authority requests further information. Complex sites or incomplete applications can therefore take materially longer in elapsed time.

- The consent application needs coordinated plans, specifications and supporting technical information.
- Restricted building work must be designed and carried out or supervised by appropriately licensed practitioners.

- If the design changes after consent is issued, the change may need to be treated as a minor variation or a formal amendment.
- A building consent generally lapses if work does not start within 12 months unless an extension is agreed.
- The council must address completion within the statutory framework, with two years being the usual reference point unless another period is agreed.

6. A special 2026 pathway for some small standalone dwellings

From 2026, eligible small standalone dwellings of up to 70 square metres can qualify for a building-consent exemption under Schedule 1A of the Building Act 2004, provided the detailed eligibility, design, construction, notification and professional requirements are met. A separate National Environmental Standard for Detached Minor Residential Units can also provide a permitted-activity pathway for resource management purposes where its standards are satisfied.

This is a specialised exemption, not a general rule that any 70 square metre dwelling can be built without council involvement. Check the current official guidance before relying on it.

7. During construction

Once building consent has been granted, the work must be built in accordance with the consented documents and any approved changes. Required inspections need to be booked at the appropriate stages. Keep records of producer statements, energy-work certificates, records of work, warranties and other completion documents as the project progresses rather than trying to reconstruct them at the end.

- Notify the council of significant proposed changes before carrying them out.
- Do not cover work that requires inspection until the required inspection has occurred.
- Keep a complete set of approved plans and inspection records on site.
- Track budget allowances for earthworks, retaining, drainage and service connections – these are common sources of cost movement on difficult sites.

8. Code compliance certificate and completion

When the consented work is complete, the owner applies for a Code Compliance Certificate (CCC). The CCC is the council statement that the completed work complies with the building consent. The building consent authority generally has 20 working days to decide the application, with the clock able to stop if further information is required.

A missing CCC can create issues with future sale, insurance, finance and later building work. Treat final sign-off as part of the project, not as an optional administrative step after construction has finished.

Building before a new title issues

It can sometimes be possible to progress design or even a building-consent application before a new title has issued, but the commercial and legal risks need to be understood. The subdivision layout, easements, consent notices, servicing arrangements or timing may still change. Authority from the legal owner may also be required for applications and site access.

- Make sure the sale agreement clearly deals with design access and pre-settlement work if you intend to start early.
- Do not assume a preliminary lot boundary or building platform will remain unchanged.

- Avoid committing to non-refundable construction costs until the title and subdivision conditions are sufficiently certain for your risk tolerance.
- Coordinate your lawyer, designer and lender if finance depends on title issue or specific consent milestones.

Common traps

- Treating a subdivision geotechnical report as if it is a full foundation design for your particular house.
- Assuming a marked building platform is the only possible building location – or that it guarantees consent for the chosen design.
- Ignoring private covenants because the council planning rules allow the proposal.
- Designing before confirming wastewater, stormwater, water supply and service connection requirements.
- Relying on the statutory 20-working-day consent period as the total calendar time for approval.
- Failing to budget for RFIs, specialist reports, development contributions, connection charges or site-specific engineering.
- Making on-site changes without first checking whether a consent amendment is required.

A practical workflow

1. Confirm title status, subdivision conditions, easements, covenants and consent notices.
2. Review council and regional planning information and identify obvious site constraints.
3. Commission the site investigations needed for the property and intended design.
4. Develop a concept design that responds to the site, budget and planning envelope.
5. Confirm whether resource consent or other approvals are required.
6. Complete coordinated engineering and construction documentation.
7. Apply for building consent with a complete, well-organised application.
8. Build to the consent, complete inspections and document approved changes.
9. Apply for the Code Compliance Certificate and retain the final property file.

Sources and further information

The following official sources were used to update this guide. Local council requirements and individual property circumstances can differ.

- **Building Performance – Stages of the building process:** <https://www.building.govt.nz/getting-started/stages-of-the-building-process>
- **Building Performance – Apply for building consent:** <https://www.building.govt.nz/projects-and-consents/apply-for-building-consent>
- **Building Performance – Project information memoranda:** <https://www.building.govt.nz/building-officials/guides-for-building-officials/applications-for-a-project-information-memorandum-pim-where-a-building-consent-is-required>
- **Building Performance – Resource consent:** <https://www.building.govt.nz/projects-and-consents/planning-a-successful-build/scope-and-design/check-if-you-need-consents/resource-consent>
- **New Zealand Legislation – Building Act 2004:** <https://www.legislation.govt.nz/act/public/2004/0072/latest/whole.html>
- **New Zealand Legislation – Resource Management Act 1991:** <https://www.legislation.govt.nz/act/public/1991/0069/latest/whole.html>
- **LINZ – Subdivision registration requirements:** <https://www.linz.govt.nz/guidance/land-registration/land-registration-guide/subdivisions/subdivision-registration-requirements>

- **Ministry for the Environment - National Environmental Standards for Freshwater:**
<https://environment.govt.nz/acts-and-regulations/regulations/national-environmental-standards-for-freshwater/>
- **Ministry for the Environment - National Environmental Standards for Detached Minor Residential Units:** <https://environment.govt.nz/acts-and-regulations/legislation/nes-dmru/>

Important

This guide provides general information only. It is not legal, planning, engineering, building, surveying or financial advice. Consent requirements, site conditions, council practices and costs vary between properties and districts. Obtain advice from appropriately qualified professionals before committing to a purchase, design or construction programme.

Reviewed: October 2026