

Converting cross lease to freehold - your how to guide

Cross lease sites are a common form of land ownership in New Zealand, where you own a share of the freehold land. Converting cross lease to freehold is a common and often straight forward process. Many people decide to go through this process as freehold ownership is the simplest type of land ownership in New Zealand, and gives more control over uses of the land.

What are the benefits?

- You will have **absolute ownership** of your land - you have complete ownership of your land and freedom to do what you want to on your land (subject to meeting other controls such as planning rules).
- It will be **easier to make changes to the property or undertake new development** - you aren't required to consult and obtain approval from your neighbours for all changes to your house. This will save time and effort.
- You will **not be required to update your flats plan** - having to update your flats plan can be time consuming and expensive. If your site is freehold, there is no flats plan.
- There will likely be an **increase in land value** - freehold sites have a 7–18% higher land value compared to a cross lease site*.



*Property Institute of New Zealand, 2017

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What's the process?

Discuss with your neighbours and other cross lease parties to ensure all parties agree to the conversion.



Engage a planner to undertake planning investigations of your site, prepare the Assessment of Environmental Effects report, manage your resource consent application and recommend specialists for your project.



Engage a surveyor to undertake a site survey and prepare the scheme plan, showing the proposed boundaries, site areas and any required easements. Your planner will often manage this input for you.



Potentially engage an engineer to investigate the existing infrastructure on the site, including wastewater, stormwater and water supply, and provide the necessary assessments. Your planner can guide you on this.



Apply for and obtain resource consent. Your planner will manage the resource consent process for you.



Once resource consent is granted, surveyor will prepare a survey plan to be approved by the Council under s223 RMA and will lodge the survey plan with Land Information New Zealand (LINZ) for approval.



Undertake any necessary physical works in accordance with the resource consent conditions and apply for a s224(c) RMA certificate. Often your surveyor will manage this for you.



Submit an application to LINZ to obtain the Record of Titles for the new sites.

What's the timeframe?

The approximate timeframes to completing each step are:

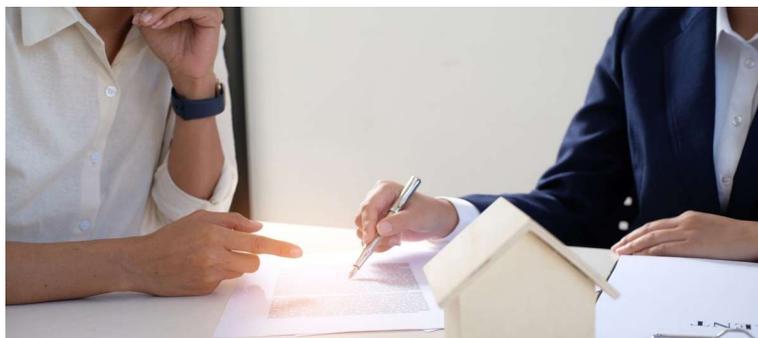
- Survey of the site and scheme plan - 2–4 weeks.
- Preparation of Assessment of Environmental Effects Report - 2 weeks.
- Other specialists reports - 2–4 weeks.
- Apply and obtain resource consent - 1–2 months.
- Apply for s223 RMA certificate - Council usually takes 10 working days to accept or reject the survey plan.
- Lodge survey plan with LINZ and obtain survey plan approval - 2–3 weeks.
- Undertake physical works (if required) - the timeframes differ depending on the type and scale of works required and how fast you complete them.
- Apply for s224(c) RMA certificate - Council usually takes 2 weeks.
- Lodge with LINZ to obtain titles and finalise legal documents - 4 weeks.



How much does it all cost?

Specialist	What they do	Approximate costs*
Surveyor	Prepare the scheme plan	\$5,000 +GST
	Prepare the survey plan and manage the surveying process	\$10,000 +GST
Planner	Prepare the Assessment of Environmental Effects report and manage resource consent application	\$5,500-6,500 +GST
Civil engineer	Provide the infrastructure report, if required	\$5,000 +GST
Solicitor	Prepare and finalise legal documentation	Varies between firms
Auckland Council	Deposit fee	\$5,000 (including GST)
LINZ	Lodgement fee	\$2,500

* Please note these figures are approximate and may be subject to changes. Planning Plus Ltd™ is not liable in any way for any errors or omissions.



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What do you need to include in your application?

- ☐ **Record of Title** - this must be less than 3 months old. You can order your record of title via Land Information New Zealand [here](#).
- ☐ **Assessment of Environment Effects Report** - this will include assessment against the provisions of district plans.
- ☐ **Scheme plan** - this will show the new boundaries, the site areas, and any easements.
- ☐ **Specialist reports** (if required) - reports such as an infrastructure report may be required to assess the capacity of the existing infrastructure, or where the vehicle cross may need to be upgraded.



Do you have a development in mind? We have over 60 years of experience in resource consents, including over 35 years processing resource consents for Council.

We're proud of our 100% success rate with applications.

You can rely on our advice.

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