

Deemed Permitted Boundary Activity Application Form

This form provides us with your contact information and details about your proposal. Please print clearly and complete all sections.

Note to applicant

You must include all information required by this form. If all information is not included, the consent authority will return this to you and the correct information must be supplied before a written notice confirming your activity is a permitted boundary activity can be provided.

In order to be eligible for a permitted boundary activity, the activity must meet the definition of boundary activity under section 87AAB(1) of the Act. You must provide written approval from all owners of allotments within infringed boundaries under section 87BA(1) of the RMA.

If all of the information required under section 87BA(1) of the Act is provided to the consent authority, the consent authority must notify you of your permitted boundary activity within 10 working days after the date on which it receives the information.

You must pay the charge (if any) payable to the Council for the deemed permitted boundary activity under the RMA. If signing on behalf of a trust or company, please provide additional written evidence that you have signing authority.

Please note that if you are lodging this application with a building consent you must separate the two documents to avoid a delay in the processing of your applications

Please print clearly and complete all sections

To: Name of Council who is the consent authority for this application

Applicant Details

Full name:



Address:

Postal Address:

Email:

Phone/mobile:

Contact person:

Location of Proposal

Please complete with as much detail as you can, so the site for your proposal is clearly identifiable. Include details such as unit number, street number, street name and town.

Property address:

Legal description:

Description of Proposal

Please provide a brief description of your proposal and address the District Plan rules relevant to your proposal. This includes but is not limited to bulk and location rules. If the space provided is insufficient, please attach additional pages.

I have attached a plan (drawn to scale) of the site at which the activity is to occur, showing the height, shape and location of the site of the proposed activity.

Other owners

The full name and address of each owner (other than the applicant) of the site that the proposed activity relates to are as follows (list full names and addresses):

Building Consent

Is this application for a deemed permitted boundary activity being lodged at the same time as a building consent?

Yes

No

Please enter the reference number of the building consent (*if known*)

Site Visit Requirements

As owner and with the consent of any occupiers or lessee, I am aware that Council staff or authorised consultants may visit the site which is the subject of this application, for the purposes of assessing this application, and agree to a site visit.

OR

If the applicant is not the owner, I understand that Council staff or authorised consultants may visit the site, which is the subject of this application, for the purposes of assessing this application, and agree to a site visit.

Is there a locked gate or security system restricting access by Council Staff?

Yes

No

Do you have a dog on the property?

Yes

No

Is there any hazard that may place a visitor at risk?

Yes

No

Provide details of any entry restrictions that Council staff should be aware of e.g. health and safety, organic farm etc.

Infringed boundaries

The full name and address of each owner of an allotment with an infringed boundary to which the proposed activity relates are as follows (*list full names and addresses*):

I have attached written approval and a signed plan from each owner of an allotment with an infringed boundary.

Signature of the applicant(s)

Please read before signing the application form

Payment of fees and charges

I have read and completed any supplementary forms and/or guidance as provided by Council related to fees and charges.

I/we understand that Council will invoice me for the actual and reasonable costs incurred in the processing of this application. Subject to my/our rights under sections 357B and 358 of the RMA, I/we undertake to pay all and future processing costs incurred by the Council. The Council may issue interim invoices for applications. Without limiting the Council's legal rights, if any steps, including the use of debt collectors, are necessary to recover unpaid processing costs, I/we agree to pay all costs of recovering those processing costs. If this application is made on behalf of a trust (private or family), a society (incorporated or unincorporated) or a company, in signing this application I/we are confirming that I/we are authorised to bind and are binding the trust, society or company to pay all the above costs and guaranteeing to pay all the above costs in my/our personal capacity.

Privacy information

The Council requires the information you have provided on this form to process your application under the RMA and to collect statistics. The Council will hold and store the information, including all associated reports and attachments, on a public register. The details may also be made available to the public on the Council's website. These details are collected to inform the general public and community groups about all consents which have been processed or issued through the Council. If you would like to request access to, or correction of any details, please contact the Council.

Information checklist

The information checklist provided overleaf sets out the full set of mandatory information that Council requires for your application to be considered complete. If inadequate information is supplied with your application, this will cause delays in processing or may result in the application being returned pursuant to section 88(3) of the RMA. Your completed application should be submitted to Council with any supplementary forms and/or guidance as provided by Council.

Declaration for the applicant

I/we confirm that I/we have read and understood the above notes and will comply with our obligations as set out.

A signature is not required if you provide your information by electronic means, but the plans do need to be signed.

Applicant name: Signature: Date:

Applicant name: Signature: Date:

Applicant name: Signature: Date:

Information Checklist for Deemed Permitted Boundary Application

Completed written approval forms of affected person and **signed site plan and elevations**

These **must be included** and must be from all owners of a property with an infringed boundary. You must use the written approval form provided by Council.

Certificate of title(s).

This must be less than 3 months old for the site(s) to which this application relates. Please attach the title(s) and any consent notices, covenants, easements attached to the title(s).

Site plan or scheme plan.

Please provide at an appropriate scale (for example 1:100) showing the location of the building or activity in relation to all site boundaries.

Elevation plans.

Please provide at an appropriate scale (for example 1:50, 1:100 or 1:200) and show height and shape of buildings that are the subject of the application, and the location of the allotment boundary.

Written Approval For Deemed Permitted Boundary Activity

Section 87B of the Resource Management Act 1991

Written approval is required from all owners with an infringed boundary.

Note to affected person(s) signing written approval:

Before asking for your approval the applicant should fully explain the proposal to you. You should see a description of the activity and the accompanying plans. If you decide to give written approval to this application, you must complete the form and sign the applicant's plans.

You should only sign this form if you fully understand the proposal. You should seek expert or legal advice if you need the proposal or deemed permitted activity process explained to you. You may also contact Council for assistance. Conditional written approval cannot be accepted, and written approval cannot be withdrawn once provided. There is no obligation to sign this form, and no reasons need to be given. If you do not sign this form, resource consent may be required, and you may have the opportunity to submit on the application. If signing on behalf of a trust or company, please provide additional written evidence that you have signing authority.

To be completed by applicant:

To: Name of Council who is the consent authority for this application

Applicant Name

Full name:

Location of Proposed Activity

Please complete with as many details as you can, so the site for your proposal is clearly identifiable. Include details such as unit number, street number, street name and town.

Address:

Legal description:

Description of Proposed Activity

Please provide a brief description of your proposal, including which District Plan rules or standards are infringed.



To be completed by owner of infringed boundary:**Owner of Infringed Boundary to Complete**

I / we are also the occupiers(s)

Full name of all property owners:

Of (*contact postal address of all property owners*):

Being the owner/s of (*state street address and/or legal description*) Street address:

Legal description:

I / we have authority to sign on behalf of all of the owners of the property

I / we have read the above description of the proposed activity

I / we have seen and signed the site plans attached

Declaration

In signing this written approval, I / we confirm that I / we understand the proposal and understand that Council will permit the applicant to undertake the activity (provided they have supplied the correct information, including all other written approvals required)

I / we understand that I / we may not withdraw my written approval

Signed* (*All owners or authorised persons*):

Date:

Fax/email:

Contact daytime phone:

**A signature is not required if you give your written approval by electronic means.*