

Application for Deemed Permitted Boundary Activity (Form 9A)

Application made under Section 87BA of the Resource Management Act 1991

To: RMA Consents
 Whangarei District Council
 Private Bag 9023
 Te Mai
 Whangārei 0148

consentsadmin@wdc.govt.nz

Office Use only	
Date Received:	
Time received:	
Payment Received:	
Tech 1 App #:	
Property #:	
Land #:	
Planner:	

To be eligible to make this application:

- **The activity must meet the definition of boundary activity under section 87AAB(1) of the Act; and**
- **You must provide written approval from all owners of allotments with infringed boundaries.**

Where the above criteria are **not** met, you will need to apply for a resource consent using our Form 9.

This form is designed to provide us with your contact information and details about your proposal that are required for us to process your application. If you fail to complete this form and provide the necessary information, including the advance fee, your application may not be accepted for processing. Prior to paying your advance fee you may request an invoice from us.

For guidance on how to complete this application form please refer to our 'Guide to Completing Application Forms'.

1 Application details

I hereby apply to Whangarei District Council for a deemed permitted boundary activity:

Full name of applicant(s): _____

Postal address: _____

Phone: _____ Email: _____

2 The activity

The proposed boundary activity is described as follows:

Please describe the activity in sufficient detail to demonstrate that it is a permitted boundary activity (attach additional sheets as required). The description must:

- Identify the infringed boundary rule(s) and the extent and location of the infringement(s); and
- Demonstrate compliance with all other District Plan rules.

Is consent required under the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011?

Yes / No / Don't know

I have applied for a building consent or PIM in relation to the activity Yes / No

Building consent / PIM reference: _____

3 The site

The deemed permitted boundary activity is to be undertaken on the following site:

Physical address: _____

Legal description: _____

Is there a locked gate or security system restricting access to this site? Yes / No

Is there a dog on the property? Yes / No

Are there any entry restrictions or hazards that Council staff should be aware of?

Yes / No

If yes, please provide details so Council staff can take the necessary precautions:

4 Property owners

The full name and address of each owner of the site to which the proposed activity relates is:

List full names and addresses of owner(s) (other than the applicant)

The full name and address of each owner of an allotment with an infringed boundary to which the proposed activity relates is:

List full names and addresses of owner(s) with infringed boundaries

5 Information requirements

I attach:

Plans of the site at which the activity is to occur, showing the height, shape, and location of the proposed activity relative to the boundaries of the site

Plans must be drawn to scale

Other information to demonstrate compliance with all District Plan rules other than the boundary rule(s) to which this application relates (e.g., an assessment against the District Plan rules)

Record of title and relevant interests

Search copy must be dated within the last 3 months

Written approval and a signed plan from each owner of an allotment with an infringed boundary

The required written approvals should be provided on Form 8B

Other information (please list below):

6 Declaration of applicant or authorised agent

Privacy:

We require the information you have provided on this form to process your application and to collect statistics. We will hold and store the information, including the form and all associated reports and attachments, on a public register. The details of your application may also be made available to the public on our website.

The details are collected and disclosed to inform the general public and community groups about all applications which have been processed or issued through us. If you would like to request access to, or correction of any details, please contact us.

A link to Council's full Privacy Statement is as follows: www.wdc.govt.nz/Privacy

Fees and charges:

Subject to rights to object to, or appeal a decision on costs, in making an application you undertake to pay all costs associated with your application.

This includes:

- *paying an advance fee deposit at time of lodgement*
- *paying any additional costs of processing the application, including any interim invoice or invoice issued at the time a decision is made on your application*
- *paying all fees associated with monitoring the conditions of an approved consent, including payment of an advance deposit fee for monitoring at the time that a decision on an application is issued*
- *paying all costs (including debt collection or legal fees) of recovering any unpaid costs.*

All fees are payable in accordance with our 'Schedule of Fees and Charges':

www.wdc.govt.nz/FeesandCharges

Please note: *Where the advance fee paid is a deposit fee, you will be invoiced for any outstanding costs associated with processing the application when a decision on your application is issued.*

An advance fee for costs associated with monitoring the conditions of your consent is payable at the time of a decision on your application is issued.

In some cases, interim billing for processing costs may also occur. You will need to pay any such invoice to enable the application to continue to be processed.

Payment options: www.wdc.govt.nz/PayApplication. Please quote the type of application and name of the applicant when making your payment.

Development contributions:

By making this application you take responsibility for payment of any required development contribution (levied under the Local Government Act 2002 and in accordance with our Development

Contributions Policy) at the time it comes due unless we are advised otherwise.

www.wdc.govt.nz/DevContributions

Site visit:

By signing this form, you confirm that we are permitted to undertake a site inspection(s). In relation to any such site inspection, you are responsible for providing us with information as necessary to ensure we can undertake a safe and accessible site visit.

In the case that we visit the site and are unable to undertake the site visit because of safety or access issues that have not been disclosed, you will be responsible for any costs associated with re-visiting the site, in addition to those associated with the initial visit.

Applicant declaration: (required where authorised agent is not acting on your behalf)

I / we confirm that I / we have read and understood the above.

Subject to rights to object to or appeal a decision on costs under section 357B and section 358 of the Resource Management Act 1991, I undertake to pay all costs associated with this application. I also agree to pay all the costs (including debt collection or legal fees) of recovering any unpaid costs.

Applicant name: _____

Applicant signature: _____ Date: _____

Applicant name: _____

Applicant signature: _____ Date: _____

Authorised agent declaration:

As authorised agent for the applicant, I confirm that I have read and understood the above information and have fully informed the applicant of their obligations in connection with this application, including obligations relating to payment of fees and other charges. I confirm that I have the applicant's authority to sign this application on their behalf.

Agent's signature _____ Date: _____

Name of agent: _____

Company name: _____ Reference: _____

Postal address: _____

Phone: _____ Email: _____

7 Address for service

Please send all correspondence to (select one):

- The applicant
- The authorised agent
- Other (*please provide details*)

Full name: _____

Postal address: _____

Phone: _____ Email: _____

Written Approval for Deemed Permitted Boundary Activity (Form 8B)

Written approval under Section 87BA(1)(b) of the Resource Management Act 1991

To: RMA Consents
Whangarei District Council
Private Bag 9023
Te Mai
Whangārei 0148
consentsadmin@wdc.govt.nz

This form may be used in providing a written approval as the owner of an allotment with an infringed boundary to support an application for a Deemed Permitted Boundary Activity. If you are providing a written approval to support a Resource Consent Application, please use Form 8A.

Notes to party giving written approval:

- **Conditional written approvals cannot be accepted, and written approvals cannot be withdrawn once provided.** You should only complete this form if you fully understand, and support or have no opposition to the activity to which you are giving approval. If you have conditions on your approval, these should be discussed and resolved with the applicant directly.
- **There is no obligation to sign this form, and no reasons need to be given.** If you do not understand the reason why you have been asked to sign the form and / or what signing means in terms of the application process, we recommend you discuss this with our duty planner or an independent planning consultant prior to signing.
- **If you do not sign this form, a Deemed Permitted Boundary Activity application cannot be made to Council.** In this instance a resource consent may be required for the activity, 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.**
- **If the land is owned by multiple parties, each party will need to provide their affected party approval unless there is evidence provided that one party has authority to sign or approve on behalf of the others.**

1 Persons giving written approval

I / we give written approval for an activity that is the subject of a deemed permitted boundary activity application.

Full name(s): _____

This written approval relates to a boundary activity affecting the following property:

Physical address: _____

Legal description: _____

Select all statements that apply:

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

2 The activity

Please provide a description of the boundary activity to which the written approval relates

3 The application site

The application site that is the subject of the boundary activity to which this written approval relates is:

Physical address: _____

Legal description: _____

4 Attachments

I attach:

- Signed set of site plans
- Documentation confirmng that I / we have authority to sign on behalf of **all** owners of the property

5 Declaration of person giving written approval

Privacy:

We require the information you have provided on this written approval form to process the application and to collect statistics. We will hold and store all application material, including your written approval form, on a public register. The details of your written approval may also be made available to the public on our website.

If you would like to request access to, or correction of any details, please contact us.

A link to Council's full Privacy Statement is as follows: www.wdc.govt.nz/Privacy

I / we confirm that I / we have read and understood the above.

In signing this written approval, I confirm that I understand the proposal and understand that the consent authority 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.

Signature: _____ Date: _____

Name: _____

Signature: _____ Date: _____

Name: _____

Signature: _____ Date: _____

Name: _____

6 Address for service

Contact name: _____

Postal address: _____

Phone: _____ Email: _____