

## APPLICATION FOR DEEMED PERMITTED BOUNDARY ACTIVITY

*Section 87BA, Resource Management Act 1991 (RMA)*

**Please read carefully and complete all sections of this form,**

**You must include all information relevant to your proposal on 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.**

**Please feel free to contact the Duty Planner at the Council to discuss any aspect of your proposal or the application process.**

### 1. Applicant Details – (If the site is owned by more than one person, an Unincorporated Trust or a Partnership, then all the owners, trustees or partners must be identified)

Full Name(s):	
Email address:	
Postal Address	
Phone	

### 2. Name and address for service (if different from above, or if your agent is dealing with the application)

Full Name(s):	
Email address:	
Postal Address	
Phone	

### 3. Property details

Address or location to which the application relates is: \_\_\_\_\_

Valuation No. and Certificate of Title reference: \_\_\_\_\_

Name of Owner/s: \_\_\_\_\_

Postal Address: \_\_\_\_\_

Email address: \_\_\_\_\_ Phone (best contacted on) \_\_\_\_\_

#### 4. Full description of the activity

Describe what is to be carried out on the site – for example “To construct a dwelling X metres from the boundary with 1 White Street, or to build a garage that does not meet daylight requirements along the boundary with 3 White Street.

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#### 5. Plan

Attach plan(s) for your proposal showing the height, shape and location of the proposed activity on the site. This must include a location plan, site plan and elevation drawings. Your plan(s) must:

- Have a North point
- Be scaleable when reduced in size
- Be clear
- Be drawn to scale and scale stated
- Show setbacks from boundary in metres
- Show dimensions, including building height
- Show the daylight angle in accordance with the relevant rule

#### 6. Written approval required from person or parties of infringed boundaries

You must identify any persons or parties of an allotment with an infringed boundary. Please list the full name and address of each owner or an allotment in the space provided below. Written Approval of Affected Person form/s (see attached) and any relevant plans have been signed by the following people:

1. \_\_\_\_\_  Form attached
2. \_\_\_\_\_  Form attached
3. \_\_\_\_\_  Form attached

#### 7. Declaration

I \_\_\_\_\_ hereby acknowledge  
(Please print name)

- (i) The requirement to provide details of the activity and information required for a deemed permitted boundary activity by the Resource Management Act Section 87BA
- (ii) That the fee is paid prior to processing the application
- (iii) That the information provided in this application and the attachments to it are to the best of my knowledge accurate.

Signature of applicant or authorised agent:

Date:

#### Checklist of information that must be submitted with this application

Tick to show that you have included all the required information:

- The deposit fee of \$450.00
- A full description of the activity (see Section 4)
- Plan(s) (drawn to scale) of the site at which the activity is to occur, showing the height, shape and location on the site of the proposed activity (see Section 5)
- The full names and address of each owner of an allotment with an infringed boundary to which the proposed activity relates (see Section 6)
- Signed written approval forms (with an initialled copy of the site plan and any other relevant plan)

## **INFORMATION BOX – BRIEF GUIDE TO DEEMED PERMITTED BOUNDARY ACTIVITY**

*For more information see the Ministry for the Environment website at [www.mfe.govt.nz](http://www.mfe.govt.nz)*

### **WHAT is a Deemed Permitted Boundary Activity?**

To be a deemed permitted boundary activity, a proposed activity must meet the following criteria:

- The proposal must require resource consent due to the infringement of one or more boundary rules in a district plan
- The proposal must not infringe any other district plan rules;
- The infringement must not relate to public boundaries;
- The owners of all allotments with an infringed boundary have given written approval to the proposal, including signing the site plans.

### **WHAT is a boundary rule?**

This means a district rule which refers to the distance between a structure and one or more boundaries of an allotment, or the dimensions of a structure in relation to its distance from one or more boundaries of an allotment. For example, a yard setback, daylight angle, or building length in relation to boundary. A maximum height rule breach is not considered a 'boundary rule'.

\*Both structure and allotment are terms defined in section 2 of the RMA.

### **WHAT is a public boundary?**

This means a boundary between an allotment and any road, river, lake, coast, esplanade, reserve, esplanade strip, other reserve, or land owned by the local authority or by the Crown.

### **WHAT is an infringed boundary and who is written approval required from?**

'Infringed boundary' is defined within Section 87AAB of the RMA and means a boundary to which an infringed boundary rule applies.

To avoid having the application returned, please provide all neighbours written approvals with infringed boundaries within the application to the Council. Please ensure that a written approval form and a copy of the signed plans are included.