

# CHECKLIST FOR RESOURCE CONSENT APPLICATION: ENCROACHMENT OF BOUNDARY DISTANCE/ RECESSION PLANE/SITE COVERAGE

Updated: 01/06/23

Please complete all sections. Some examples are provided in brackets to help you answer the questions. If you require assistance in completing the application, please feel free to give us a call on (03) 788 9603 or email us at [planning@bdc.govt.nz](mailto:planning@bdc.govt.nz).

Site photos are always helpful. If you are taking photos, remember to take one along the boundary that will be affected by the encroachment and of the site from the street. Attach the photos to your application or, email them to [planning@bdc.govt.nz](mailto:planning@bdc.govt.nz) with reference to the site that the application is for.

- Have you completed and signed the Application form?
- Have you completed and signed the Assessment of Environmental Effects form?
- Have you completed and signed the Assessment of the Activity Against **Part 2 of the Resource Management Act** (RMA) and any relevant Objectives and Policies of the **Operative Buller District Plan** (in accordance with Schedule 4) and the **Proposed Te Tai Poutini Plan**? For assistance, please refer to the documents noted in the relevant sections of the application.
- Have you included any technical reports/assessments? (i.e. Geotechnical assessment, Landscape assessment, Acoustics assessment etc)
- Have you completed the 'Declaration to Accompany Application for Resource Consent' in regard to the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NES)?
- Have you included a site plan? *(The site plan must show the location of every existing and proposed building on site in relation to the legal and actual site boundaries. how close the building will be to the boundaries and what distance the structure will encroach into the setback)*
- Have you included photos of the site, or  Plan to email photos to Council?
- Have you included the required deposit?  
Please refer to Council's fees and charges: <https://bullerdc.govt.nz/your-council/fees-and-charges/>  
Note that this is a deposit only and Council operates on a full cost recovery system. Therefore if the cost of processing the consent is more than the deposit, you will be charged the additional amount.
- Have you included a copy of the Record of Title (RT). The RT must not be older than 3 months), or
- Do you wish Council to search a copy for you (for a cost of \$40.00 per RT)?
- Have you attached any completed and signed Affected Persons Approval forms? *(Affected Persons Approval forms should be completed by neighbours on any boundary where the distance will be reduced, or by neighbours who may be affected by a breach of the recession plane angle)*  
Affected persons approval forms and information can be found on our website:

<https://bullerdc.govt.nz/property-rates-and-building/planning-and-resource-consent/planning-application-forms/>

**Advice Note:** Please attach separate sheet(s) if required

# RESOURCE CONSENT APPLICATION: ENCROACHMENT OF BOUNDARY DISTANCE/ RECESSION PLANE/SITE COVERAGE

Form 9: Resource Management (Forms, Fees, and Procedure) Regulations 2003  
Sections 87AAC, 88, and 145, Resource Management Act 1991

## APPLICANT DETAILS

1. Applicant is the  owner/occupier  prospective owner (please tick the appropriate box)

Applicant(s) name(s): (please write all names in full)

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Telephone: Business: \_\_\_\_\_ Facsimile: \_\_\_\_\_

Private/Mobile: \_\_\_\_\_

Email: \_\_\_\_\_

2. Postal Address:

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3. Property owner's name(s): (if different from above)

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Telephone: Business: \_\_\_\_\_ Facsimile: \_\_\_\_\_

Private/Mobile: \_\_\_\_\_

Email: \_\_\_\_\_

4. Correspondence to be sent to the following name and address: (if different from applicant)

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Telephone: Business: \_\_\_\_\_ Facsimile: \_\_\_\_\_

Private/Mobile: \_\_\_\_\_

Email: \_\_\_\_\_

## PROPERTY DETAILS

5. Description of location of activity and/or property address: (include the name of any relevant stream, river or other water body to which the application may relate, proximity to any well known landmark, etc)

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6. Valuation Roll Number: (from rates or valuation)

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7. Zone: \_\_\_\_\_

**RECORD OF TITLE DETAILS**

8. Record of Title Reference: \_\_\_\_\_

9. Legal Description: \_\_\_\_\_

**DETAILS OF PROPOSAL**

10. This is an application for:
- Boundary Encroachment
  - Exceeding the recession plane
  - Exceeding the site coverage

11. Are any other consents required? *(a building consent, or discharge consent from the Regional Council etc)*  
 Yes       No

If yes, list consents below, and whether they have been applied for.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

12. A general description of what is proposed: *(To build a new dwelling with an attached garage. The garage will be 3000mm from the road boundary with the entrance to the garage parallel to the road to allow turning on site, etc)*

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

13. Give a description of the proposed use of every building or structure that is encroaching or breaching a recession plane: *(The recession plane will be breached by the corner of the dwelling in the area of the third bedroom. The garage will be used to store vehicles and gardening equipment etc)*

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

14. Are any alterations to the buildings proposed?       Yes       No

If yes, what is the nature of the proposed alterations? *(The existing dwelling will be extended to incorporate an office area at the front of the extension and a additional bedroom to the rear, the extension will be 3500mm wide by 8000mm long, etc*

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15. State the height of any new buildings or alterations to existing buildings: *(The new storage shed will be 1.5m high etc)*
- \_\_\_\_\_
16. Details of any landscaping proposed: *(planting along the edge of the garage closest to the road to partly screen the building and soften its impact etc)*
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
17. Are any new accessways proposed for the site?  Yes  No  
If Yes, show on site diagram.
18. If a site visit is required, do you wish to be contacted prior to the visit by a member of the Planning Department?  
 Yes  No

#### SIGNATURE AND DATE

Dated at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_

\_\_\_\_\_  
**Signature**  
(to be signed by or on behalf of applicant)

\_\_\_\_\_  
**Name of person signing**

*The personal information that you provide in this form will be held and protected by Buller District Council in accordance with our privacy policy (available at [bullerdc.govt.nz/privacy](http://bullerdc.govt.nz/privacy) and at council libraries and service centres) and with the Privacy Act 2020. Council's privacy policy explains how we may use and share your personal information in relation to any interaction you have with the council, and how you can access and correct that information. We recommend you familiarise yourself with this policy.*

## ASSESSMENT OF EFFECTS ON THE ENVIRONMENT

Encroachment of Boundary Distance/Recession Plane/Site Coverage

1. Will the structure affect views of any significant landscapes or natural features?  Yes  No

If Yes, describe the features:

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2. Will the structure be visible from any residences or community facilities?  Yes  No

If Yes, show the location and distance of the closest house(s)/facilities from the development on your site diagram.

3. Will the new development affect any historic sites or sites with important cultural values?  Yes  No

If Yes, how will these sites be affected? *(The shed will be close to the boundary with the old community hall and due to its proposed height will increase the shading of the hall, etc)*

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4. Does the development involve any native vegetation clearance?  Yes  No

If Yes, how much vegetation will be cleared? *(An area of 15m by 8m will be cleared for the footprint of the building and working area, etc)*

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### OTHER INFORMATION

5. Outline other information (if any), required to be included in the application by the District Plan or regulations.

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### **SIGNATURE AND DATE**

Dated at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_

\_\_\_\_\_  
**Signature**

(to be signed by or on behalf of applicant)

\_\_\_\_\_  
**Name of person signing**

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## 2.0 Objectives and Policy Assessment

When evaluating a proposal, Council is required to consider both the Operative District Plan and the Proposed District Plan. The evaluation of Operative Plan provisions vs Proposed Plan provisions is complex, and the Council must give certain weighting to particular provisions. As the TTPP process advances, different rules under the TTPP may apply as they come into effect.

Please provide an assessment of your proposal against:

- (a) any relevant objectives, policies, or rules in a document; and
- (b) any relevant requirements, conditions, or permissions in any rules in a document; and
- (c) any other relevant requirements in a document (for example, in a national environmental standard or other regulations).

### **Operative Buller District Plan**

Objectives and Policies of the **Operative Buller District Plan** can be viewed on Council’s website - <https://bullerdc.govt.nz/media/iwng1304/part-4-significant-resource-management-issues-objectives-and-policies.pdf>

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**Proposed Te Tai Poutini Plan (TTPP)**

The Proposed Te Tai Poutini Plan (including maps) can be viewed on TTPP’s website <https://tpp.nz/>. The Objectives and Policies are contained within the relevant chapters.

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**PLEASE ENSURE YOU HAVE READ THE CHECKLIST ON THE FRONT PAGE AND PROVIDED ALL REQUIRED INFORMATION**

**SIGNATURE AND DATE**

Dated at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_

\_\_\_\_\_  
**Signature**  
(to be signed by or on behalf of applicant)

\_\_\_\_\_  
**Name of person signing**

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## NES DECLARATION TO ACCOMPANY APPLICATION FOR RESOURCE CONSENT

**This Declaration MUST be completed, signed and submitted with your application**

The *National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health* (NES) applies to particular activities on a piece of land where an activity or industry described in the current edition of the *Hazardous Activities and Industries List* (HAIL) is being undertaken, has been undertaken, or it is more likely than not that it is being or has been undertaken.

The HAIL and other useful information about the NES, including a *User's Guide on the NES*, can be found on the Ministry for the Environment's website, <http://www.mfe.govt.nz/land/nes-assessing-and-managing-contaminants-soil-protect-human-health/about-nes>. A copy of the current HAIL is attached.

**To help determine whether or not the NES will apply to your activity please answer the following questions:**

Is an activity described on the HAIL currently being undertaken on the piece of land to which this application applies?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Has an activity described on the HAIL ever been undertaken on the piece of land to which this application applies?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Is it more likely than not that an activity described on the HAIL is being or has been undertaken on the piece of land to which this application applies?	Yes <input type="checkbox"/>	No <input type="checkbox"/>

**If 'Yes' to ANY of the above, then the NES may apply. Please answer the following questions:**

Is the activity you propose to undertake removing or replacing a fuel storage system or parts of it?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Is the activity you propose to undertake sampling soil?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Is the activity you propose to undertake disturbing soil?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Is the activity you propose to undertake subdividing land?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Is the activity you propose to undertake changing the use of the land?	Yes <input type="checkbox"/>	No <input type="checkbox"/>

**If 'Yes' to ANY of the above activities, then the NES is likely to apply.**

For further information about the NES and what is required please contact Council's Planning Department on (03) 788 9603 or [planning@bdc.govt.nz](mailto:planning@bdc.govt.nz).

I hereby certify that to the best of my knowledge and belief, the information given in this form is true and correct.

**Applicant's Signature:** (or person authorized to sign on applicant's behalf)

..... **Date:** .....

**Name:** (Please Print) .....

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## Hazardous Activities and Industries List (HAIL)

October 2011

### **A Chemical manufacture, application and bulk storage**

1. Agrichemicals including commercial premises used by spray contractors for filling, storing or washing out tanks for agrichemical application
2. Chemical manufacture, formulation or bulk storage
3. Commercial analytical laboratory sites
4. Corrosives including formulation or bulk storage
5. Dry-cleaning plants including dry-cleaning premises or the bulk storage of dry-cleaning solvents
6. Fertiliser manufacture or bulk storage
7. Gasworks including the manufacture of gas from coal or oil feedstocks
8. Livestock dip or spray race operations
9. Paint manufacture or formulation (excluding retail paint stores)
10. Persistent pesticide bulk storage or use including sport turfs, market gardens, orchards, glass houses or spray sheds
11. Pest control including the premises of commercial pest control operators or any authorities that carry out pest control where bulk storage or preparation of pesticide occurs, including preparation of poisoned baits or filling or washing of tanks for pesticide application
12. Pesticide manufacture (including animal poisons, insecticides, fungicides or herbicides) including the commercial manufacturing, blending, mixing or formulating of pesticides
13. Petroleum or petrochemical industries including a petroleum depot, terminal, blending plant or refinery, or facilities for recovery, reprocessing or recycling petroleum-based materials, or bulk storage of petroleum or petrochemicals above or below ground
14. Pharmaceutical manufacture including the commercial manufacture, blending, mixing or formulation of pharmaceuticals, including animal remedies or the manufacturing of illicit drugs with the potential for environmental discharges
15. Printing including commercial printing using metal type, inks, dyes, or solvents (excluding photocopy shops)
16. Skin or wool processing including a tannery or fellmongery, or any other commercial facility for hide curing, drying, scouring or finishing or storing wool or leather products
17. Storage tanks or drums for fuel, chemicals or liquid waste
18. Wood treatment or preservation including the commercial use of anti-sapstain chemicals during milling, or bulk storage of treated timber outside

### **B Electrical and electronic works, power generation and transmission**

1. Batteries including the commercial assembling, disassembling, manufacturing or recycling of batteries (but excluding retail battery stores)
2. Electrical transformers including the manufacturing, repairing or disposing of electrical transformers or other heavy electrical equipment
3. Electronics including the commercial manufacturing, reconditioning or recycling of computers, televisions and other electronic devices
4. Power stations, substations or switchyards

### **C Explosives and ordnances production, storage and use**

1. Explosive or ordnance production, maintenance, dismantling, disposal, bulk storage or re-packaging
2. Gun clubs or rifle ranges, including clay targets clubs that use lead munitions outdoors
3. Training areas set aside exclusively or primarily for the detonation of explosive ammunition



**D Metal extraction, refining and reprocessing, storage and use**

1. Abrasive blasting including abrasive blast cleaning (excluding cleaning carried out in fully enclosed booths) or the disposal of abrasive blasting material
2. Foundry operations including the commercial production of metal products by injecting or pouring molten metal into moulds
3. Metal treatment or coating including polishing, anodising, galvanising, pickling, electroplating, or heat treatment or finishing using cyanide compounds
4. Metalliferous ore processing including the chemical or physical extraction of metals, including smelting, refining, fusing or refining metals
5. Engineering workshops with metal fabrication

**E Mineral extraction, refining and reprocessing, storage and use**

1. Asbestos products manufacture or disposal including sites with buildings containing asbestos products known to be in a deteriorated condition
2. Asphalt or bitumen manufacture or bulk storage (excluding single-use sites used by a mobile asphalt plant)
3. Cement or lime manufacture using a kiln including the storage of wastes from the manufacturing process
4. Commercial concrete manufacture or commercial cement storage
5. Coal or coke yards
6. Hydrocarbon exploration or production including well sites or flare pits
7. Mining industries (excluding gravel extraction) including exposure of faces or release of groundwater containing hazardous contaminants, or the storage of hazardous wastes including waste dumps or dam tailings

**F Vehicle refuelling, service and repair**

1. Airports including fuel storage, workshops, washdown areas, or fire practice areas
2. Brake lining manufacturers, repairers or recyclers
3. Engine reconditioning workshops
4. Motor vehicle workshops
5. Port activities including dry docks or marine vessel maintenance facilities
6. Railway yards including goods-handling yards, workshops, refuelling facilities or maintenance areas
7. Service stations including retail or commercial refuelling facilities
8. Transport depots or yards including areas used for refuelling or the bulk storage of hazardous substances

**G Cemeteries and waste recycling, treatment and disposal**

1. Cemeteries
2. Drum or tank reconditioning or recycling
3. Landfill sites
4. Scrap yards including automotive dismantling, wrecking or scrap metal yards
5. Waste disposal to land (excluding where biosolids have been used as soil conditioners)
6. Waste recycling or waste or wastewater treatment

**H Any land that has been subject to the migration of hazardous substances from adjacent land in sufficient quantity that it could be a risk to human health or the environment**

**I Any other land that has been subject to the intentional or accidental release of a hazardous substance in sufficient quantity that it could be a risk to human health or the environment**