

PLAN IMPLEMENTATION

Written Approval of Affected Persons

Resource Management Act 1991, Form 8A

Affected person's details

Full name (1): _____

Full name (2): _____

Address of affected property: _____

I am / We are the: Owner(s) Occupier(s) Owner(s) and Occupier(s) Director(s)
Trustee(s) of the above.

Postal address: _____

(If different from address provided above)

Email address: _____

Contact phone number: _____

The application site *(Address or location of the proposed development or activity.)*

Note: This part may be filled in by the person applying for resource consent.

Name of applicant (applying for resource consent): _____

Street address (location of the proposed activity): _____

Legal description (Record of Title): _____

Resource consent number (if application already lodged): RC _____

The proposal

Description of the proposed development or activity, including the ways it does not comply with the District Plan (attach extra pages if necessary). Note: This part may be filled in by the person applying for resource consent.

Privacy information

All the relevant information on this form is required to be provided under the Resource Management Act 1991 for Waimakariri District Council to process the resource consent application referred to.

Under this Act, this information can be made available to members of the public including business organisations. The information produced may be made available to other departments of the Council. You have the right to access the personal information held about you by the Council which can be readily retrieved.

Signing a written approval form

If an application for a Resource Consent is to be processed as a non-notified application, the Resource Management Act requires that written approval must be obtained from every person whom the Council considers may be adversely affected to a minor or more than minor extent. It is the responsibility of the applicant to consult with any parties identified as being affected.

If you have been asked to give your written approval, it is likely that this is because the Council considers you may be adversely affected by the proposed activity. This gives you the opportunity to consider the particular proposal and decide for yourself whether you are adversely affected and/or the degree to which you may be adversely affected.

If you are asked to give your written approval to someone's proposal as part of their application for a Resource Consent, we recommend the following:

1. Request that the applicant (or their representative) explain the proposal clearly and fully to you, including the ways it does not comply with the District Plan.
2. Study the application and associated plans of the proposed activity provided by them in order to understand the effects of the proposal. If there are no plans available at this stage, you may wish to wait until they are available. Ask for time to consider the documents if you think you need it.
3. Decide whether the proposal will adversely affect you or your property. You are entitled to ask the applicant for more information, but you should make a decision about whether you will sign the form or not as promptly as is reasonable in the circumstances. You may suggest amendments to the proposal that you consider would reduce the effects of the proposal on you. If you do this, you should sign only the amended version of the proposal. Written approvals obtained will usually be submitted to the Council by the applicant as part of their application.
4. If you are satisfied that the proposed activity will not adversely affect you and/or the effects are acceptable to you, you may decide to sign the affected person's approval form on this document and a copy of the associated application including plans. You should then return them to the applicant (or their representative). If you are willing to sign subject to some other condition being met, this will need to be the subject of a civil agreement between yourself and the applicant.
5. If you consider that you will be adversely affected by the proposal and/or do not wish to sign the approval form, you will need to advise the applicant (or their representative). There is no obligation to sign this form, and no reasons need to be given, at this stage.
6. Conditional written approvals cannot be given.
7. You are entitled to change your mind after you have signed a neighbours' consent form, as long as you do this before the Council has made a decision on whether to grant consent to the application. If you decide to withdraw your consent you should state this in writing to Council recording the withdrawal.
8. If signing on behalf of a trust or company, please provide additional written evidence that you have signing authority.

Please note that if a property is owned by more than one person, all of the joint owners are considered to be 'affected persons'. If a property is rented out, the tenants may also be considered to be 'affected persons'.

If you do not give your approval and you are considered by the Council to be an adversely affected person, then the application may be publicly notified or processed on a limited notified basis, and you may have a formal right to lodge a submission on the application. Alternatively, the applicant may proceed without the need for Resource Consent if they amend their proposal so that it complies with the Plan, or if they amend their proposal so that it still needs Resource Consent but the Council no longer considers that the proposal will affect you.

Please note that even though you may sign the affected person's approval form, Council must give full consideration to the application in terms of the Resource Management Act. However, if you give your approval to the application, Council is not able to have regard to any actual or potential effects the proposal may have on you. You are therefore encouraged to weigh up all the effects of the proposed activity before agreeing to it.

Further written information regarding affected persons' approvals, the Resource Consent process and hearings is available from the Council upon request.

Written approval

This is my written approval to the activity described above that is the subject of a resource consent application.

I/We give written approval to the application outlined above.

I have read the full application for resource consent, the Assessment of Environmental Effects, and viewed any site plans.

In signing this written approval, I understand that the Council must decide that I am no longer an affected person, and the Council must not have regard to any adverse effects on me.

I can confirm that I have viewed the application for resource consent and signed each page of the application plans.

I understand that I may withdraw my written approval by giving written notice to the consent authority before a hearing, if there is one, or if there is not, before the application decision is determined.

All owners and occupiers of this property must have signed the approval form, if the property is held in a Trust, all Trustees must sign. Conditional written approvals cannot be accepted. Where this form has been signed on behalf of a trust or company, or under a Power of Attorney, please supply the necessary documentation to confirm that you have the signing authority.

Signature(s): *(of person(s) giving written approval (or person(s)) authorised to sign on their behalf) – A signature is not required if you submit this form electronically. By entering your name in the box below you are giving your authority for this application to proceed (note that the plans do still need to be signed).*

Signed (1): _____ Date: _____

Signed (2): _____ Date: _____

Name of persons giving written approval (1): _____

Name of persons giving written approval (2): _____

Email address for service of person(s) giving written approval: _____

Contact telephone number: _____

For planning enquiries please phone or email:

Phone: 0800 965 468

Email: duty.planner@wmk.govt.nz