

Building near NPDC-owned reticulation

FORM

Part 14, NPDC Bylaws 2008

This form must be submitted with a completed application cover page form.

Complete this form with the assistance of the Building near NPDC-owned reticulation guide - numbers on this form relate to explanatory notes in the guide.

1. Type of proposal

- Divert the reticulation
 around proposed
 building work in
 accordance with the
 conditions under
 A. Conditions for
 diverting the reticulation.
- Plans for the proposed diversion work are attached to this application.
- Build near NPDCowned reticulation in accordance with the conditions under

A. Conditions for diverting the reticulation

- Proposed diversion work will be in accordance with the New Plymouth District Council Land Development and Subdivision Infrastructure Standard.
- Plans for the proposed diversion are attached to this application.
- The diversion work will be completed by a New Plymouth District Council (NPDC) approved contractor.
- The construction of this work will be supervised by NPDC staff.
- All costs for the supervision of works, plans, diversion works, legal fees, easement fees, etc. is to the account of the property owner.
- Construction of the proposed structure will not commence until diversion works are completed.

B. Conditions for building near NPDC-owned reticulation

- All specific requirements and conditions imposed by NPDC should be met.
- A deed of covenant and a memorandum of encumbrance will be registered against the title of the land.

B. Conditions for building near NPDC -owned reticulation.	Approval for the building consent will not be granted until the above conditions have been met. All costs associated with these conditions, including legal fees incurred by NPDC, will be the property owner's responsibility.							
Please provide details of the property	owner's solicitor:							
Applicant's declaration and	Privacy Statement							
Information on this form is required to be provided under the acts, regulations and bylaws administered by the NPDC and is required to process your application. This information, including your personal information, has to be made available to the members of the public and media, including business organisations, upon request. In appropriate circumstances, it may also be made available to other units of NPDC, NPDC's approved contractors and other government agencies. Under the Privacy Act 2020, you have the right to access and request correction to your personal information at any time. If you wish to do this please contact NPDC. I confirm that I have read and understood the privacy statement above and that the information provided on the application form is true and correct. I further understand that all correspondence related to the application will be sent to me. I also confirm that I am the registered owner of the property indicated in section one of the application cover page form and that I have read and understood the conditions listed in section one of this form. This serves as notification to NPDC of my intention, as selected in section one of this form, and my agreement to the conditions associated with it.								
Where the building encroaches upo	on NPDC property							
Please note that NPDC as a landowner does not permit the construction of any structures on, over or under NPDC property without the prior written approval of the NPDC asset manager. Undertaking construction without the approval of the NPDC asset manager may result in a requirement to remove the structure.								
Signature	Date							
First name(s)	Surname							
E USE ONLY Applie	cant #							

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GUIDE

Building near NPDC-owned reticulation

Part 14, NPDC Bylaws 2008

Explanations in this guide are intended to assist you to complete the Building near NPDC-owned reticulation form. Numbers on the form relate to the explanatory notes in this guide.

Building near NPDC-owned reticulation

Is there water, sewer, or stormwater reticulation near where you intend to place your building? You may need to complete the application form before you can start any building work.

In New Plymouth District there are many kilometres of sewer, stormwater and water reticulation. Some of this reticulation is within private properties. NPDC needs to maintain and protect these assets as required by the Local Government Act.

NPDC is reluctant to allow buildings or additions to be built near reticulation because doing so can:

- Lead to more difficult maintenance works.
- Expose NPDC to potential liability claims.
- Compromise the integrity of the district's water, sewer or stormwater reticulation.

In exceptional circumstances and for less critical public services, however, NPDC may allow this type of work to proceed under specific conditions.

How best to locate reticulation?

There are various methods to locate reticulation. It is recommended that you arrange an on-site investigation with a suitably qualified professional.

A service plan printout can be requested from NPDC. This record should be treated as a guide only. The responsibility to ensure that a structure is not built over NPDC-owned reticulation lies with the owner.

Building 'near' reticulation - what is the minimum distance?

'The minimum distance is 1.5m from the centre line of the pipe/culvert, or the invert depth of the pipe/culvert plus the diameter of the pipe or the width of the culvert plus 0.2m, whichever is the greater distance.

'Building' includes a dwelling, garage, carport, deck, swimming pool, retaining wall and any other permanent structure.

What are your options if your proposed building site is near NPDC-owned reticulation?

Option	Description
Choose a new site for your building	This is the most desirable and least costly option; no legal documents are involved and no extra cost or time is needed for re-laying reticulation.
Divert the reticulation (do not change your proposed building site)	Select this option if sufficient room exists within the property and any new works can be made to meet the Land Development and Subdivision Infrastructure Standard requirements - particularly in respect to grade and capacity. Diversion is dependent on alignments, and grades of the existing reticulation, and is not always possible.
Get approval	All diversion and associated works will be at the applicant's cost and done by an NPDC-approved connection contractor.
to divert the reticulation	No building work may start until this application is approved by NPDC and the diversion of the reticulation is completed.
Do not change your proposed building site	Select this option if there is insufficient room within the property to either site the proposed building clear of the reticulation or divert the reticulation around the proposed works.
Get approval to build near NPDC- owned reticulation	As a last resort, you may be granted permission to build near the reticulation, subject to any specific requirements and conditions imposed by NPDC and a deed of covenant and a memorandum of encumbrance being registered against the property title so that consecutive titleholders are legally responsible for the conditions set out in these documents.
	Deed of covenant: a legal promise by the landowner to remove and improve or redirect the reticulation and protect NPDC against any action brought against it for any loss or damage or injury caused as a result of NPDC agreeing to the location of a building or an improvement near the reticulation.
	Memorandum of encumbrance: a document that ensures the landowner's obligation as set out in a deed of covenant. It is registered against the title of the land and is deemed to be a form of mortgage. This encumbrance secures a sum of money (which is inflation-adjusted each year) and will be payable only if the landowner fails to comply with his/her obligations under the deed of covenant.
	No building work may start until this application is approved by NPDC.

Indications and guidelines issued by NPDC are provided with the intention of helping people to understand the legislation. They are however offered on a 'no liability' basis and in any particular case those concerned should consult their own legal adviser.

How to proceed with your building project Check for buried Check your intended reticulation in your building site against the location of buried reticulation property **Building site is outside Building site is within** the set minimum distance the set minimum distance Consult with a suitably qualified professional, e.g. registered engineer, certified plumber, etc. Option 1 **Option 2 Option 3** Apply to build Apply to divert near NPDC-owned the reticulation reticulation Draw your concept Choose a new plan based on location for your NPDC standards proposed building Apply for a project information memorandum (PIM) and approval to divert the NPDC-owned reticulation - include plans for the proposed diversion work Apply for a project Finalise your building plans, Apply for a project information addressing the requirements information memorandum (PIM) listed in the PIM memorandum (PIM) and approval to build near NPDC-owned reticulation Apply for building consent and other authorisations listed in the PIM What happens with your application to divert or build near NPDC-owned reticulation? NPDC will evaluate your Application Application to NPDC will evaluate your application and plans to build near application and plans divert reticulation NPDC-owned reticulation NPDC will inform the property NPDC will inform the owner of the decision property owner of the decision. If the application is approved, If the application is approved, the NPDC will provide a list of NPDCapplicant shall comply with all the approved contractors who can do specific requirements and conditions the diversion work imposed by NPDC The property owner selects an NPDC processes legal NPDC-approved contractor and documents arranges diversion work with the contractor in accordance with NPDC's Land Development and NPDC lifts the restriction on commencement of building work Subdivision Infrastructure Standard NPDC notifies the property owner that legal documents have been finalised and advise the amount owing (Billing is based on actual costs incurred) Guidance notes to assist with completing the 'Building near NPDC-owned reticulation' form

1. Type of proposal

Tick the circle that corresponds to the option that you propose to undertake in relation to your building work.

Attach a plan for any proposed diversion work.

Refer to page one of this guide for a description of each option.

2. Applicant's declaration

A decision or information supplied to you as a result of your application is limited to the extent and accuracy of the information you have provided in your application.

Write your full name, signature and the date that you submitted your application.

If you are submitting this application on behalf of your company, please sign your name and not the name of your company.

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FORM Application cover page

(required with all other forms)

Incorporates requirements of Form 2, sections 33 or 45, Building Act 2004

1.	Pro	perty details	
	1a.	Site address (Specify unit/level number, location of building within site/block number, building name and street name)	
	1b.	Current lawfully established use	
	1c.	Legal description	
	1d.	Rapid number	
2.	Pro	perty owner details	
	2a.	Owner name	First name(s) Surname
	2b.	Name of additional owner(s)/company/trust	
	2c.	Contact person (if different from above)	
	2d.	Postal address (include postcode)	
	2e.	Contact details	
	2f.	Email	Phone Mobile Fax
3.	Pay	ver details	
	3a.	Required for invoice	Applicant Owner Other - proceed to 4 - provide details below
	3b.	Name in full	
	3c.	Postal address	
4.	Des	scription of project	
	4a.	Detailed description of the development/ project	
	4b.	Will business activities ta	ke place when building is completed? Yes No

5.	Cou	OFFICE USE ONLY			
			Application attached	Have applied already (write the application	Information provided
	5a.	Common applications	4.140.104	number if known)	
		Project information memorandum	🔘		
		Building consent	🔘		
		Vehicle crossing			
		Encroachment licence	🔘		
		Land use resource consent	🔘		
		Deemed permitted boundary activity notice	O		•
		Subdivision resource consent	🔘		
		Sewer connection/disconnection	🔘		•
		Stormwaterconnection/disconnection.	🔘		
		Waterconnection/disconnection	🔾		•
	5b.	Non-residential applications			
		Discharge of trade waste consent			
		Alcohol licensing			
		Food premises registration			
		Health Act registration(Hairdressing, camping ground, funeral parlour, offensive trade)			•
		Beauty registration			•
	5c.	Other project authorisations			
		Swimming pool registration			
		Temporary obstruction on road reserve.			
		Temporary road closure			
		Easements through Council-owned reserve land			•
	5d.	Other project requirements			
		Rapid number request			
	P	Contractors parking space reservation.			
		Existing street damage declaration			•

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GUIDE Application cover page

Incorporates requirements of Form 2, sections 33 or 45, Building Act 2004

Explanations in this guide are intended to assist you to complete the application cover page form - numbers on the form relate to the explanatory notes in this guide.

How to use the application cover page form

New Plymouth District Council (NPDC) administers a number of Acts on behalf of central government. Each Act sets out specific requirements on what type of activities or projects need to be approved under that legislation.

This application form is designed to offer you an integrated way to apply for multiple approvals or NPDC services and achieve compliance for your project.

You only need to submit one application cover page form if you are applying for multiple approvals at one time.

Complete the application cover page form

Complete and attach the form(s) that correspond to the approval(s) that you require for your project

Attach payment to your application(s)

Submit your application(s) to NPDC

Notes to assist completion of your application cover page form

1. Property details

1a. Site address

Write the physical address where the project will take place.

If the building has a name, please include it in the site address. PO Box addresses are not acceptable.

Example:

- Unit 4, 3rd Floor, XYZ Building, 123 Devon Street West, New Plymouth.
- X PO Box 456, New Plymouth.
- X 3rd Floor, XYZ Building, 123 Devon Street.

For properties that are undergoing subdivision, use the address indicated on the Land Transfer Plan with section 223 certificate endorsed.

DISCLAIMER: BUILDING CONSENT APPLICATIONS ACCEPTED FOR LAND UNDERGOING SUBDIVISION

The owner/applicant accepts that the issue of a building consent as requested in an application does not provide any assurance or representation by NPDC that legal title to the land is now or will ever become available and the owner/applicant should take legal advice before commencing construction work.

1b. Current, lawfully established use

Write the lawfully established use of the building.

If you do not know this, please describe to the best of your knowledge. For example: single residential dwelling, shop, takeaway bar, warehouse.

1c. Legal description

Every property has a unique legal description assigned to it. This information is given on your rates instalments invoice or record of title.

Write the legal description of the property.

Example:

- **(v)** Lot 1 DP 2345
- ✓ S PT SEC 678 DP 901

1d. Rapid Number

If the project is in a rural area and you have purchased a rapid number, write this number in the space provided.

2. Property owner details

- Write the name and contact details for all owners. Include any company or trust name.
- If the property is owned by a company, partnership or trust, write the name of the person representing the organisation.

WATER BILLING

If you are applying for a water connection and it needs to be metered, water billing will be sent to this address.

Indications and guidelines issued by NPDC are provided with the intention of helping people to understand the legislation. They are however offered on a 'no liability' basis and in any particular case those concerned should consult their own legal adviser.

3. Payer details

Model Indicate who will receive the invoice.

4. Description of project

4a. Detailed description of the development/project

Describe the nature and scope of all parts of the project.

For example:

- New one-storey single residential dwelling.
- Three stand-alone two-storey dwellings, each with their own vehicle access and attached carport.
- Replace bath with shower.
- Install woodfire to replace existing open fireplace.
- Repile existing building and improve drainage.
- Excavating soil for a farm track within 50m of a sand dune.
- Boundary adjustment to increase the size of Lot 2 DP 3456 and decrease the size of Lot 3 DP 3456.

 New café, with the intention to use a portion of the footpath and the space above it for additional seating capacity.

4b. Will business activities take place when building is completed?

- ▼ Tick yes if the building is to be used for business activities after it is completed, e.g. operating a business from home, take-away shop, production of chemical products, factory, orchard and shop, etc.
- Tick no if the building is to be used purely for residential purposes.

5. NPDC applications for this project

 $\ensuremath{ \bigodot}$ Tick to indicate all applications that the application cover page form relates to.

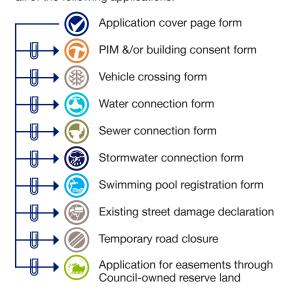
Using this form for multiple applications saves you writing the same information more than once.

Where an application has already been lodged for this project, write the application, licence or consent number.

This will help NPDC to assist you in managing your whole project.

Examples of projects requiring multiple NPDC applications

If you are building a new house with a swimming pool in an urban area, and the site is such that you need to build over NPDC pipes, you may need to complete all of the following applications:



If you are building a garage on the boundary and installing a vehicle crossing, complete:



If you are operating a restaurant/café/bar, with tables on the footpath, complete:



If you are converting your residential garage into a hairdressing salon, complete:



Not sure what approvals you need?

Refer to the appropriate checklist for your application.

If you still have questions, visit the Civic Centre in Liardet Street, New Plymouth and discuss your project with an NPDC officer, or phone NPDC on 06-759 6060.

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