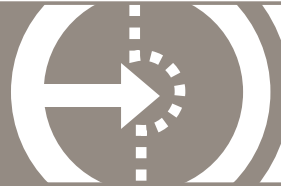




Te Kaunihera-ā-Rohe o Ngāmotu

New Plymouth District Council



FORM Application for an encroachment licence

New Plymouth District Council Bylaw 2008
Part 5 Public Places

Complete this form with the assistance of the application for an encroachment licence guide - numbers in this form relate to explanatory notes in the guide. This form must be submitted with a completed application for an encroachment licence checklist and an application cover page form.

1. Applicant details

1a. I am the Property owner
As stated on the application cover page form. Lessee
Provide details below Agent authorised by owner/lessee
Provide details below

1b. Full name
First name(s) Surname

1c. Postal address (include postcode)

1d. Contact details
Work Home Mobile

1e. Email

2. Licence details

2a. Premises name (if applicable)

2b. Premises address

2c. Trading as (name)

2d. Name of person/persons who will sign the licence (Licensee/Licensees). This may also be the 'Agent' as identified in section 1a. above.

2e. Contact details for person at 2d. if different from applicant
Work Home Mobile

Email

3. Project details

3a. Area of encroachment m²

3b. Type of property:
Residential Commercial Industrial
Rural

3c. Type of encroachment:
Use of airspace Garage/carport Garden/beautification
Fence/retaining wall Dwelling/dwelling addition Farm/horticulture
On-street dining - please complete section four on page two.
Other - provide details below:

Please turn over

OFFICE USE ONLY

Date received	<input type="text"/>	Document #	<input type="text"/>	Application #	<input type="text"/>
Received by	<input type="text"/>	Land ID	<input type="text"/>	Receipt #	<input type="text"/>
Property ID	<input type="text"/>	Amount paid	<input type="text"/>	\$	<input type="text"/>

4. On-street dining - required information

This section must be completed when you are applying for an on-street dining encroachment.

Provide details of the activity in the proposed on-street dining area. Please note that all furniture must be removed after hours.

4a. Use of premises:

Cafe	Bar	Restaurant
Takeaway outlet		
Other - provide details		

<hr/> <hr/> <hr/>

4b. Duration of on-street dining operation:

Permanent

Temporary - provide start and end dates

Start date End date

4c. Normal hours of use - specify times:

Start time End time

4d. Will liquor be consumed in the area?

Yes

No

4e. Capacity of on-street dining area:

Number of tables Number of chairs/seats

4f. Other furniture or equipment - provide details and quantities:

<hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>

5. Applicant's declaration

PRIVACY STATEMENT

Information provided in this application is required to process your application. That information may be subject to an information request. In such an event and where necessary NPDC will redact personal information such as private contact details. Under the Privacy Act 2020, you have the right to access your personal information held by NPDC and request NPDC to correct the personal information held by NPDC.

DECLARATION

I have read and understood the above privacy statement. I confirm that the information provided on the application form is true and correct. I understand that NPDC will send all correspondence, invoices and refunds (if any) to me and I agree that I will be responsible for, and indemnify NPDC in respect of the payment of all fees in connection with this application.

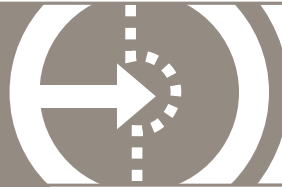
Signature

Date

First name(s)

Surname

Company name (if applicable)



How to use this checklist

Please use this checklist to assist you to lodge a complete application and avoid delays in processing. Your application will be accepted based on this checklist to ensure that it has sufficient information to commence processing.

Additional information may be requested during the processing of your application for an encroachment licence.

- All items on this checklist must be ticked to show that they are either provided (P) or are not applicable (N/A) to your project.

OFFICE USE

APPLICANT USE

P - Information provided

N/A - Not applicable to this project

Encroachment licence (other than on-street dining)

On-street dining encroachment

P N/A

Encroachment other than on-street dining

A dimensioned location plan drawn to a recognised metric scale of not less than 1:200 shall be provided detailing the extent of the encroachment, the location and nature of the use of the adjoining public land such as footpaths and carriage-ways and the location of any utilities both above and below ground.

Dimensioned elevations of the encroaching structure or building drawn to a recognised metric scale shall be provided where the encroachment involves structures such as fences, kerbs, posts, buildings, balconies or terraces occupying airspace over a public space.

Please note that:

- Supporting structures such as posts or poles proposed to be erected must be detailed on both the location plan and elevations.
Generally all structures including those using airspace shall be set back at least 450mm from the kerb line.
A vertical clearance of at least 2.4m will be required between the surface of any public space such as a footpath and the underside of any structure.

On-street dining encroachment

A site plan drawn to a metric scale of 1:250 or larger showing the following:

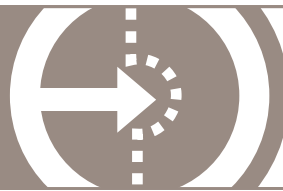
- Dimensioned width of your property frontage(s), and the position and dimensioned width of the adjoining footpath, measured from the frontage of your premises to the kerb face.
Dimensioned minimum clearance of the dining furniture relative to any street furniture or utilities such as parking pay stations, signs or pedestrian crossings.
Extent and location of any dining areas on adjoining frontages.
Position of proposed dining furniture including screen enclosures, barriers and any footpath sign for the premises. Please note that size and location controls apply to footpath signs under the New Plymouth District Plan and bylaws.
Location of a direct and unobstructed pedestrian access past or through the dining area. The width of this access is normally required to be 2m. Please note that this must provide for continuity with the use, signage and structures of the adjoining footpath.

Elevations drawn to a scale of not less than 1:50 showing the design of furniture including materials and colours used and any associated signwriting. Manufacturer's information and photographs that provide the required degree of detail may be used.

Evidence of adequate public liability insurance indemnifying New Plymouth District Council (NPDC) against any claim arising from damage caused by furniture, items or structures used in association with the dining area.

On-street dining activity management plan.

Other information addressing any issues identified in your meeting with NPDC Officers.



When do you need an encroachment licence?

An encroachment licence is a permit that is required under New Plymouth District Council Bylaw 2008 Part 5 Public Places to ensure that acceptable standards of convenience, safety, visual amenity and civic values are maintained in public places.

Examples of projects that may require an encroachment licence include:

- A café that uses the sidewalk as an outdoor eating area.

- Signs on public property.
- Fences or retaining walls that cannot be built entirely within the section and therefore need to occupy a portion of public property.

Your application form must be submitted together with an application for an encroachment licence **checklist** and an **application cover page form**.

How is the encroachment fee calculated?

The annual rental is calculated on the following basis:

- Establish a dollar rate per square metre by dividing the land value of the applicant's section by the area of the section.
- Calculate the floor area to be occupied and apply to the dollar rate.

- Calculate 6.5% of item b. which is to be charged as the annual rental plus GST.
- Amount to be reviewed at three-yearly intervals following rateable valuations.

For residential, there is a one-off administration fee plus rental, as applicable.

1. Applicant details

1a. Indicate whether you are the property owner, lessee or the agent of the owner or lessee.

Property owner

Select this option if you are the property owner, as stated on the certificate of title. Your details will have been provided on the application cover page form.

Lessee

Select this option if you have a lease agreement with the registered owner of the property and the

agreement is still in force.

Provide your full name and contact details.

Agent

Select this option if you are submitting your application as the authorised representative of the property owner or lessee.

Provide your full name and contact details.

2. Licence details

2a. Premises name

Provide the name of the premises, if applicable.

2b. Premises address

Provide full details of the physical address of the premises.

2c. Trading as (name)

Provide the trading name.

2d. Name of signatories to licence.

Provide the name of the person/persons who will sign the licence. This may also be the 'Agent'.

2e. Contact details.

Provide the contact details of the person/persons who will sign the licence (as at 2d.).

3. Project details

3a. Area of encroachment

State the area covered by your application (in square metres) that you wish to use.

3b. Type of property

Indicate whether the work relates to a residential, commercial, industrial, or rural project.

3c. Type of encroachment

Use of airspace - select this item if the space to be

used is for an awning, veranda, or the display of produce.

On-street dining - select this item if you intend to use the sidewalk as an outdoor eating area. You are also required to complete section four.

If you intend to use or build on a road, reserve or park, select one of the other items listed, as applicable.

4. On-street dining - required information

This section must be completed when you are applying for an on-street dining encroachment (under item 3c).

5. Applicant's declaration

A decision or information provided 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 name, signature and 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.



1. Property 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. Property 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

Phone

Mobile

Fax

2f. Email

3. Payer details

3a. Required for invoice

Applicant
- proceed to 4

Owner
- proceed to 4

Other
- provide details below

3b. Name in full

3c. Postal address

4. Description of project

4a. Detailed description
of the development/
project

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























Yes

No

Please turn over

5. NPDC applications for this project

OFFICE USE ONLY

	Application attached	Have applied already (write the application number if known)	Information provided
5a. Common applications			
 Project information memorandum	<input type="checkbox"/>	<input type="text"/>	<input type="checkbox"/>
 Building consent	<input type="checkbox"/>	<input type="text"/>	<input type="checkbox"/>
 Vehicle crossing	<input type="checkbox"/>	<input type="text"/>	<input type="checkbox"/>
 Encroachment licence	<input type="checkbox"/>	<input type="text"/>	<input type="checkbox"/>
 Land use resource consent	<input type="checkbox"/>	<input type="text"/>	<input type="checkbox"/>
 Deemed permitted boundary activity notice.....	<input type="checkbox"/>	<input type="text"/>	<input type="checkbox"/>
 Subdivision resource consent	<input type="checkbox"/>	<input type="text"/>	<input type="checkbox"/>
 Sewer connection/disconnection	<input type="checkbox"/>	<input type="text"/>	<input type="checkbox"/>
 Stormwater connection/disconnection.....	<input type="checkbox"/>	<input type="text"/>	<input type="checkbox"/>
 Water connection/disconnection	<input type="checkbox"/>	<input type="text"/>	<input type="checkbox"/>
5b. Non-residential applications			
 Discharge of trade waste consent			<input type="checkbox"/>
 Alcohol licensing			<input type="checkbox"/>
 Food premises registration			<input type="checkbox"/>
 Health Act registration			<input type="checkbox"/>
(Hairdressing, camping ground, funeral parlour, offensive trade)			
 Beauty registration			<input type="checkbox"/>
5c. Other project authorisations			
 Swimming pool registration			<input type="checkbox"/>
 Temporary obstruction on road reserve			<input type="checkbox"/>
 Temporary road closure			<input type="checkbox"/>
 Easements through NPDC-owned reserve land			<input type="checkbox"/>
5d. Other project requirements			
 Rapid number request			<input type="checkbox"/>
 Contractors parking space reservation			<input type="checkbox"/>
 Existing street damage declaration			<input type="checkbox"/>



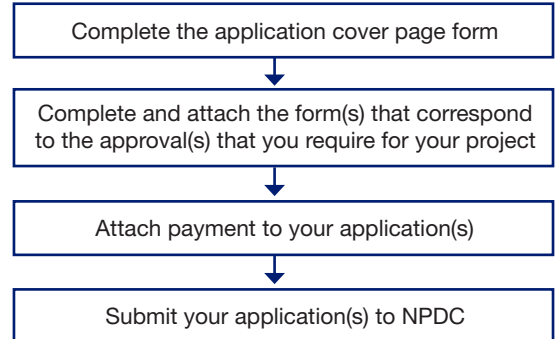
Explanations in this guide are intended to assist you to complete the application cover page form - numbers on the form relate to the explanatory notes in this guide.

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.



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.
- PO Box 456, New Plymouth.
- 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:

- 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

- 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

- Tick to indicate all applications that the application cover page form relates to.

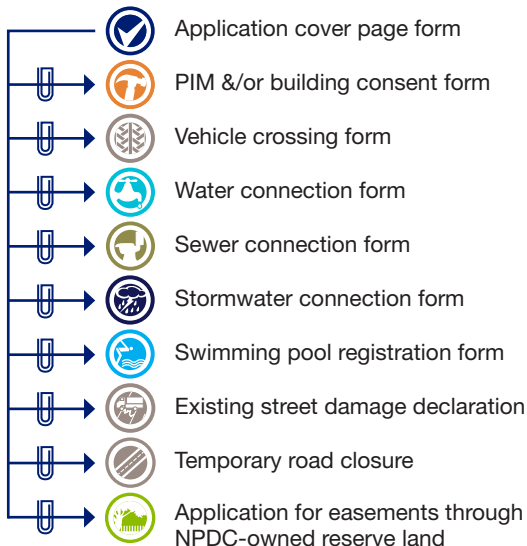
Using this form for multiple applications saves you writing the same information more than once.

- 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.