



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

Complete this form with the assistance of the 'building near Council-owned pipes' guide - numbers on the form relate to explanatory notes in the guide.

1. Type of proposal

Divert the pipeline around the proposed building work in accordance with the conditions under "A. Conditions for diverting a pipeline".

Plan for the proposed diversion work is attached to this application.

Build near Council-owned pipes in accordance with the conditions under "B. Conditions for building near Council-owned reticulation".

A. Conditions for diverting a pipeline

- 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 with this application.
- The diversion work will be completed by a Council-approved contractor.
- The pipeline will be built in accordance with the New Plymouth District Council Land Development and Subdivision Infrastructure Standard. The construction of this work will be supervised by Council 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 Council-owned reticulation

- All specific requirements and conditions imposed by the Council should be met.
- A deed of covenant and a memorandum of encumbrance will be registered against the title of the land.
- Approval for the building consent will not be granted until the above conditions have been met.
- All costs associated with these conditions will be the property owner's responsibility.

Please provide details of the property owner's solicitor:

2. Applicant's declaration

PRIVACY STATEMENT:

Information on this form is required to be provided under the acts, regulations and bylaws administered by the Council 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 the Council, the Council's approved contractors and other government agencies. Under the Privacy Act 1993, you have the right to access the personal information held about you by the Council and you can also request that the Council corrects any personal information it holds about you.

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 the Council of my intention, as selected in section one of this form, and my agreement to the conditions associated with it.

Where the building encroaches upon Council property

NOTE:

The Council as a landowner does not permit the construction of any structures on, over or under Council property without the prior written approval of the Council asset manager. Undertaking construction without the approval of the Council asset manager may result in a requirement to remove the structure.

Signature

Date

Full name (print clearly)

OFFICE USE ONLY

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



Explanations in this guide are intended to assist you to complete the 'building near Council-owned pipes' form. Numbers on the form relate to the explanatory notes in this guide.

Building near Council-owned pipes

Are there water, sewer, or stormwater pipes 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 pipes. Some of these pipes are within private properties. The Council needs to maintain and protect these assets as required by the Local Government Act.

The Council is reluctant to allow buildings or additions to be built near pipes because doing so can:

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

In certain circumstances, however, the Council may allow this type of work to proceed under specific conditions.

How can I be sure where buried pipes are?

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

You may request a service plan printout from the Council. This record should be treated as a guide only. The responsibility to ensure that a structure is not built over Council-owned pipes lies with the owner.

'Near' pipes - what does this mean?

'Near' is 1.5m from the centre line of the pipe, or the depth of the pipe plus the diameter of the pipe plus 0.2m, whichever is the greater distance.

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

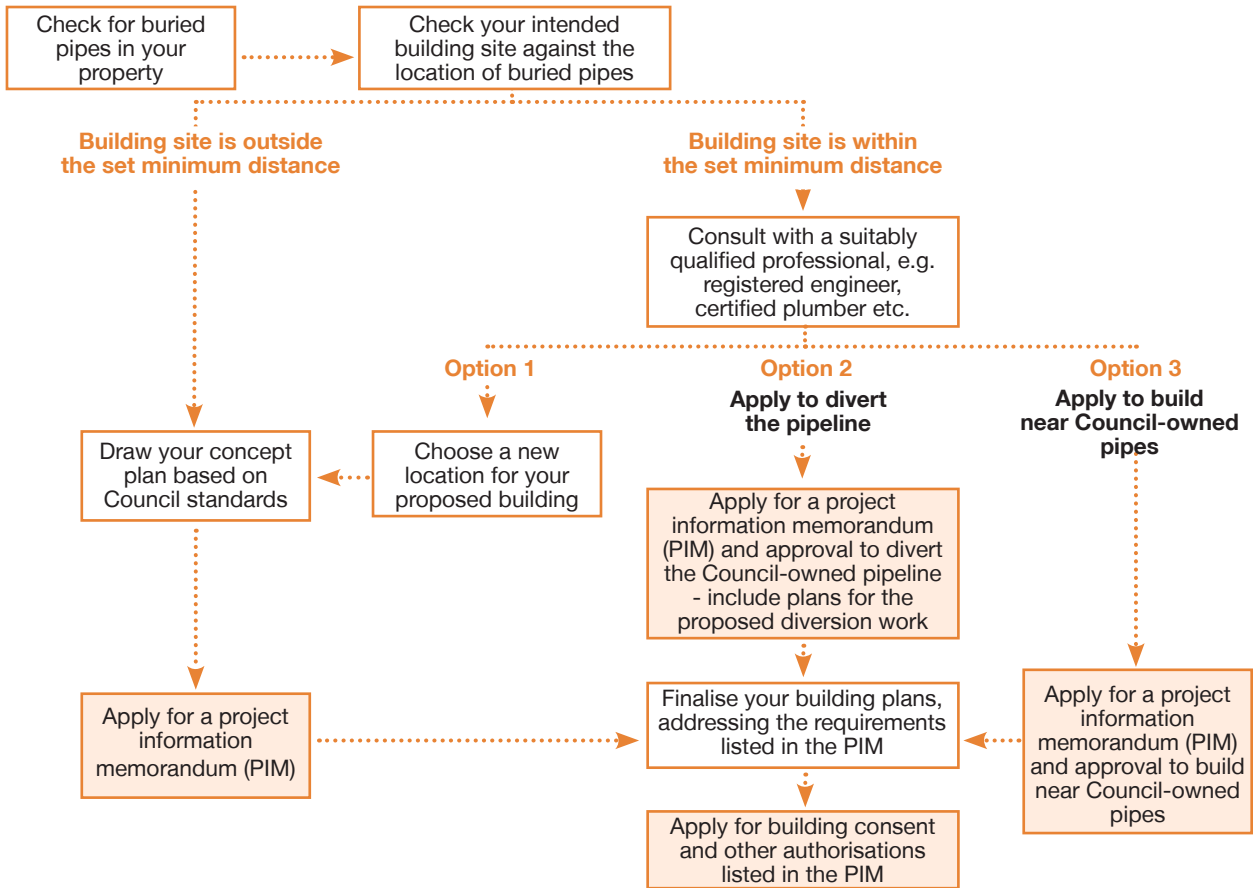
What are your options if your proposed building site is near Council-owned pipes?

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 pipes.
Divert the pipeline (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 pipes, and is not always possible.
Get approval to divert the pipes	All diversion and associated works will be at the applicant's cost and done by a Council-approved connection contractor.
No building work may start until this application is approved by the Council.	
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 pipeline or divert the pipeline around the proposed works.
Get approval to build near Council-owned pipes	As a last resort, you may be granted permission to build near the pipes, subject to any specific requirements and conditions imposed by the Council 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 pipeline and protect the Council against any action brought against it for any loss or damage or injury caused as a result of the Council agreeing to the location of a building or an improvement near the pipeline.
	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 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 the Council.	

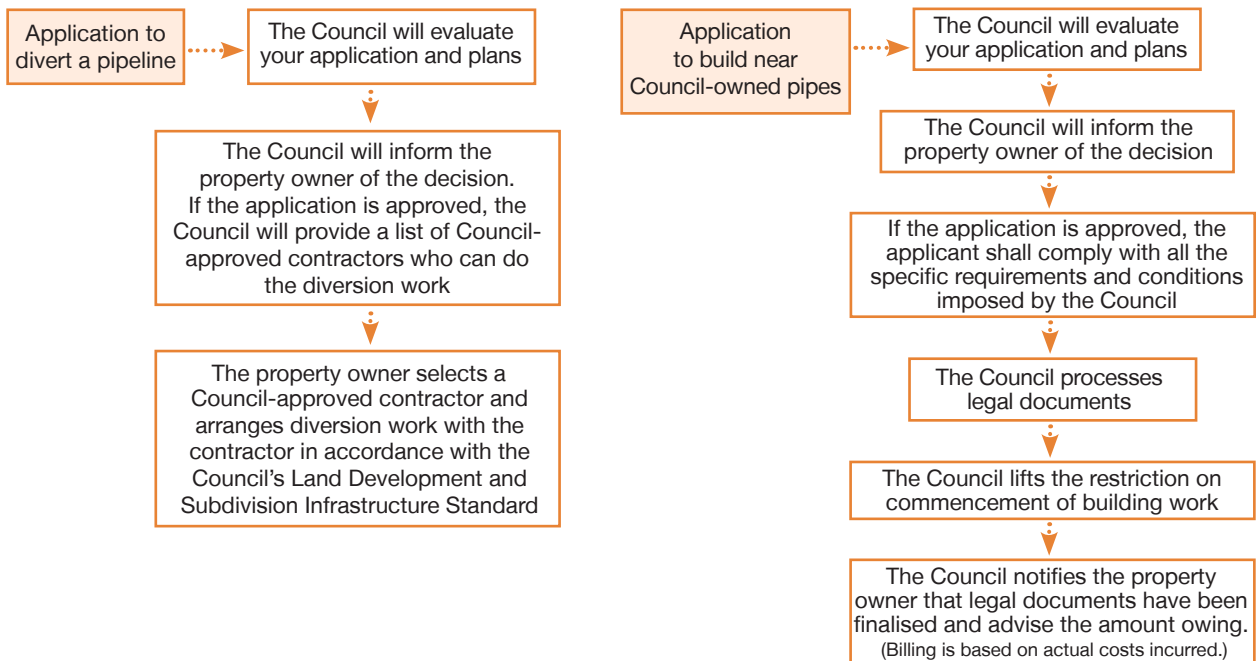
Please turn over

Binding interpretation of the acts, regulations and bylaws can only be issued by the courts. Indications and guidelines issued by the Council 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



What happens with your application to divert or build near Council-owned pipes?



Guidance notes to assist with completing the 'building near Council-owned pipes' 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.



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. Council 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 Council-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"/>



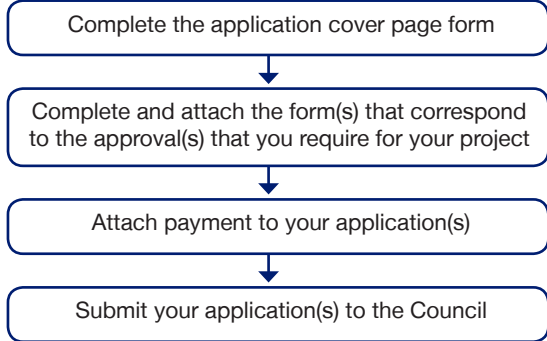
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How to use the application cover page form

The Council 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 Council 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.



Guidance 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.

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 certificate or 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.

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 New Plymouth District Council 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.

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.

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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 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. Council applications for this project

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

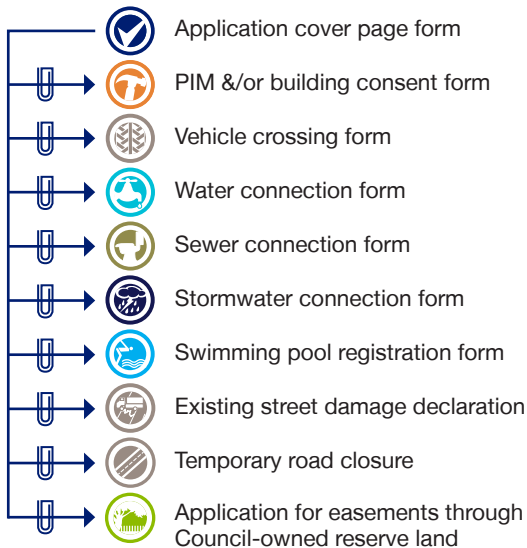
Using this form for multiple applications saves you writing the same information more than once.

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

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

Examples of projects requiring multiple Council 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 Council pipes, you may need to complete all of the following applications:



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 a Council officer, or phone the Council on 06-759 6060.

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:

