

GUIDE TO COMPLETING THE APPLICATION FOR PRIVATE USE OF COUNCIL LAND

This guide is to help you to complete your application - this will also help to process it without delays.

When Council land is required for private use, you must apply for land owner consent from Council and obtain any other required environmental consents. We advise you to obtain land owner consent prior to making applications for environmental consents as you may be able to obtain those consents but without land owner consent you cannot proceed with your proposal to use Council land.

THE APPLICATION

Complete the attached Application form and ensure that all supporting information is attached. The following is a checklist of what you need to provide to Council:

- Application Form – completed, signed and dated
- 2 copies of plans (to scale) showing clearly the items specified in the application form
- Comment/consent forms from affected parties, if any – **note below**
- Service Authority consents (if applicable) – **note below**
- Assessment of Affects – **note the considerations below**
- Application Fee of \$300 (or if you are amending an existing use which already has Council land owner consent the fee is \$100.00)¹

WRITTEN CONSENTS/COMMENTS FROM AFFECTED PARTIES

If your proposal fronts or adjoins another property, the written consents of the owners must be included, with their signatures on the plans submitted.

WRITTEN CONSENTS/COMMENTS FROM SERVICE AUTHORITIES (FOR USE OF ROAD RESERVE ONLY)

As existing or proposed pipes, cables, manholes, etc. (underground or overhead) could be affected by your proposal you must obtain and provide with your application the written comments of the service authorities who control electricity, gas, telecommunications, water and drainage (see contact list attached).

¹ Please note that an hourly rate of \$45 ph will be charged for Council officer's time if the application processing/assessment time exceeds 8 hours. Council will advise the applicant if this time frame will be exceeded prior to proceeding further with the processing of the application and will be payable prior to being advised of Council's decision.

ASSESSMENT OF AFFECTS

You will need to consider how your proposal will affect others and how they use the area now and in the future. The following list will help you consider all possible effects of your proposal. You should list all positive and negative effects and attach the list to your application.

- Is your proposal going to be on someone else's frontage?
- Is it going to affect views, sunlight or shading of other properties or access to other properties?
- Is it going to have a positive effect on the street by freeing up kerbside parking for others, improving traffic flows, improving the streetscape?
- Is your proposal going to clash with underground/overhead services?
- Is it going to restrict future road works?
- Is it going to obstruct site lines (for viewing traffic)?
- Is the proposal going to remove parking spaces?
- Is it an obstacle for pedestrians?
- Is the proposal going to enhance the values of any surrounding reserve?
- Will the proposal limit potential reserve development?
- Does the proposal impact on the flora and fauna in any way? Are you intending to remove vegetation? If so, please list all vegetation to be removed.
- Will the proposal have a negative effect on an area of reserve outside the proposed area of use?

THE COUNCIL CONSENT PROCESS

Once a complete application is received, and if the application does not require Council Committee approval, other organisation's (e.g. DOC/Iwi) approval or a Council resolution², it takes about 20 working days before a decision can be issued. During this time consultation is carried out with Council divisions and the application is thoroughly checked and assessed against the criteria set out in the Policy on Private Use of Hutt City Council land.

A decision about whether Landowner Consent has been granted will be issued in writing. This will be subject to obtaining any/all other required regulatory consents, any applicable rental or betterment payable³ and any general and special conditions imposed as part of the consent. Also, if applicable, you will be offered either an encroachment licence, licence to occupy or lease which must then be signed and returned to Council within one month. Note: building work must not commence until all required consents have been obtained, conditions of approval met (if necessary prior to

² For applications that require Council Committee approval, other organisation's (e.g. DOC/Iwi) approval and/or a Council resolution the application process will likely take around 6-9 months before a decision can be issued. This depends on when the next Committee/Council meeting is held, if there is a subsequent requirement for public notification and further consideration of the feedback from public notification by Committee/Council (at the following Committee/Council meeting).

³ If Commercial rental is payable (for a lease or licence) or betterment is payable (for an easement right) a value will be obtained from a Registered Valuer, appointed by Council, to ascertain a fair rental or one-off betterment payment.

commencement of work) and, if applicable, “betterment” paid. All building work must be completed within 12 months from the date of the notification of the Landowner Consent decision. An extension past this 12 month period may be granted if, prior to the timeframe lapsing, you make a request in writing to Urban Plus for consideration.

Applications which require additional approvals from Council or other organisations and/or public notification are:

- Applications that affect strategic assets or will have a significant effect on the general public
- Applications that are on land that has reserve status or is managed as reserve (excluding gardens, lawns and grazing)
- Any significant commercial/industrial activity
- Any use involving dangerous goods in areas where it is not a permitted use in the District Plan
- Major structures and uses
- Bridges
- Any exclusive use lease or licence for a period greater than 5 years

For the criteria of acceptability of applications please refer to the Policy for Private Use of Hutt City Council land. This policy is available on [Council's website](#).