

# Written approval of affected persons

Resource Management Act 1991 – Form 8A

For enquiries: phone (03) 941 8999, email [DutyPlanner@ccc.govt.nz](mailto:DutyPlanner@ccc.govt.nz) or visit the Council at 53 Hereford Street, Christchurch

## 1. Affected person's details

Full name of affected person(s):

I am / We are the:  Owner(s)\* and Occupiers(s)  Owner(s)\*  Occupier(s)  Director(s)  Trustee(s)

of the property located at (*address of the affected property*):

I have authority to sign on behalf of all the other  Owners\*  Occupiers of the property (*select one, if applicable*)

\* 'Owner' includes anyone who has entered into a Sale and Purchase Agreement (including a conditional agreement) to purchase the property.

## 2. Application details (*to be completed by applicant*)

Name of applicant:

Application address:

Type of application:  Resource consent  Permitted boundary activity

Brief description of the proposed development / activity:

  
  


## 3. Written approval

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

I / We understand that as I / we have given written approval, the Council must not take into account any adverse effects that the proposal may have on me / us when considering the application.

I / We can confirm that I / we have viewed and signed the application and each page of the plans.

Signature(s)\* (*of person(s) giving written approval or person authorised to sign on their behalf*):

Date:

\* A signature is not required if you give your approval by electronic means

Contact Details:

Address:

Email:

Telephone:

Notes to person(s) signing the form:

- All owners of the property must sign the form, unless one person has authority to sign on behalf of others. Occupier approval is also required unless the application is a boundary activity\*.
- If signing on behalf of a trust or company please provide evidence to confirm that you have signing authority.
- If the Council determines that this application is a permitted boundary activity\* your written approval cannot be withdrawn. For other types of application your written approval may be withdrawn at any time before the hearing, if there is one, or before the application is determined if there is no hearing.
- Conditional written approvals cannot be accepted.

\* A boundary activity only breaches rules controlling the distance or size of a building relative to a boundary (e.g. setbacks, recession plane).

Please return the signed form and application documents to the applicant

## What is a resource consent and a permitted boundary activity?

The Christchurch District Plan guides the way Christchurch is developed. Every property has a zone, and each zone has different rules about the type of building, subdivision or land use that can occur in that area.

When someone wishes to build or use a property in a way which does not comply with the rules in the District Plan, they require permission from the Council, called a resource consent. If they obtain a resource consent they are able to build or use the property in accordance with that consent and do not have to comply with the rules in the Plan. Some applications are exempt from needing resource consent if the applicant obtains written approval from the adjoining property owners – this is called a permitted boundary activity. These processes are set out in the Resource Management Act.

## Why is your written approval being requested?

If you have been asked to give your written approval this is likely to be because either:

- the proposed development does not comply with a rule relating to your property boundary and the applicant wants to apply for a permitted boundary activity consent exemption, or
- the Council thinks you might be adversely affected by a resource consent application to a minor or more than minor extent.

This gives you the opportunity to consider the applicant's proposal and decide for yourself whether you are comfortable with it. It is the responsibility of the applicant to consult with neighbours.

For resource consent applications, if written approval is obtained from everyone the Council thinks may be affected, the application can be non-notified, i.e. there is no opportunity for anyone to make a submission for or against the proposal.

## What should you do if you are asked to sign an affected person's approval form?

If you are asked to give your written approval to someone's proposal as part of their application for a resource consent or a permitted boundary activity exemption, you should do 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. Review 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. You may ask for time to consider the documents.
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 or the effects are acceptable to you, you may decide to sign the affected person's approval form and a copy of the application including plans. You should then return them to the applicant (or their representative). If you are only willing to sign subject to some condition being met, this will need to be the subject of a separate civil agreement between yourself and the applicant, as the Council cannot accept conditional approvals.
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.

NOTE: 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 are also considered to be 'affected persons' except where the application is for a boundary activity.

## Important information

If you do not give your approval and you are considered by the Council to be an adversely affected person, then the application must be publicly notified or processed on a limited notified basis and you will have a formal right of objection. Alternatively, the applicant may proceed without the need for resource consent if they amend their proposal so that it complies with the District 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 if you give your approval to the application, the Council is not able to have regard to any effects the proposal may have on you when making decisions on the application. You are therefore encouraged to carefully consider how the proposal might affect you before agreeing to it.

In most cases, if you change your mind after signing the form you may withdraw your approval at any time before the hearing, if there is one, or otherwise before a decision is made on the application, by advising the Council in writing that your approval is withdrawn. However if the proposal is a permitted boundary activity your written approval cannot be withdrawn.

Further information regarding affected persons' approvals, the resource consent process and hearings is available on the Council's [website](#) or by contacting the Duty Planner at [DutyPlanner@ccc.govt.nz](mailto:DutyPlanner@ccc.govt.nz).

## Privacy information

The information on this form is required to be provided under the Resource Management Act 1991 for the Resource Consents Unit to process the application referred to. Under this Act this information can be made available to members of the public, including business organisations, the media and other units of the Council. You have the right to access the personal information held about you by the Council, and you can request that the Council correct any personal information it holds about you.