

Application to Erect a Structure on, or Use, Road Reserve



Send to: The Chief Executive
Private Bag 93109
Henderson
WAITAKERE 0650

Deliver to: Waitakere Central
6 Henderson Valley Road
Henderson
Telephone (09) 839 0400
Facsimile (09) 836 8001

1. Full name of applicant: _____
(If title is in more than one name, all names will be required) Christian names Surname

2. Present Address: _____

3. Contact Telephone: _____

4. Occupation: _____

5. Local and full legal description of your property: Lot: _____ DP: _____

Street No: _____ Road Name: _____

Suburb: _____

6. Application Fee	\$102.22	
Plus GST	\$ 12.78	Total: \$115.00

7. Brief details relating to the type of structure or use, and reasons as to why the use of the road reserve is sought.
(If necessary record on a separate attachment): _____

8. Plans and specifications (showing boundary). These must be submitted with the application.

Attached (please tick)

Signature of Applicant(s): _____

Office use only

Fee paid: \$ _____

Receipt No: _____

(46-7110-16000-594)

Prepared by: _____

Ext: _____

Date: _____

Application to Erect a Structure on, or Use, Road Reserve

Explanatory Note for Property Owners

Criteria

- Council approval is required in all cases where a property owner wishes to erect a structure (car deck, carport, garage, retaining wall, etc.) on legal road reserve fronting their property.
- Approval must also be obtained for use of road reserve for the formation of parking areas etc.
- Applicants must demonstrate that the provision of such structures or uses is not possible either in part or totally within the bounds of their property due to topography limitations.

Note: Council will not authorise erection of a structure or an access across the frontage of another owner's property without the signed consent of that owner.

Application Process

Applicants must complete the form overleaf which is to be accompanied by:

- Plans and specifications of the proposed structure
- A scale site plan, with legal boundaries shown
- An application fee of \$115 (GST inclusive)

Note: This is in addition to any planning/building permit applications/consents also required. It is also the Applicant's responsibility to obtain approval from affected utility operators.

Approval / Conditions

If approval for use of the road reserve is given by Council, the applicant will be required to:

- Sign a memorandum of encumbrance recording the conditions of approval which will include:
 - the right of Council to require removal of the structure at its direction
 - the acknowledgement that the structure remains part of the public legal road at all times
 - the owner's responsibility for maintenance of the structure and liability for any claims arising

This document will be registered on the land title in order to give notice of the encroachment on the road reserve to prospective purchasers, mortgagees and other persons inspecting the title.

- Pay \$525 (GST incl) for the preparation of the encumbrance and its registration on the land title at Land Information New Zealand, to be completed by Council's Legal Services unit.

Note: Further costs may also be incurred if the property is subject to a mortgage as the memorandum of encumbrance requires mortgagee consent.

Building Consent

A Code Compliance Certificate (CCC) will not be issued in respect of any building consent associated with a structure on the road reserve until the above-mentioned legal formalities have been completed. The CCC is also subject to the satisfactory completion of the other conditions attached to the consent.