

# APPLICATION FOR CHANGE OR CANCELLATION OF RESOURCE CONSENT CONDITIONS



Auckland  
Regional Council  
TE RAUHĪTANGA TAIAO

(Pursuant to section 127 of the Resource Management Act 1991)

To: General Manager  
Regulatory Services  
Auckland Regional Council  
Private Bag 92 012  
Auckland

Ph: (09) 366 2000  
Fax: (09) 366 2155

Toll free: 0800 80 60 40  
(calls outside the Auckland area)

## Note to Applicants

Read the notes below and the application form fully before preparing your application and any supporting information. Information brochures are also available from the Auckland Regional Council (ARC) and the website [www.arc.govt.nz](http://www.arc.govt.nz). It is also recommended that you talk with council staff before preparing your application.

**It is important that you answer all questions fully and complete the checklists**

**Contact the Auckland Regional Council (ARC) if you are unsure how to complete this form.**

## Completing the form – Section 127

You need to fill out this form if you are applying to change or cancel a condition of an existing resource consent. Essentially applications for a change or cancellation are treated as an application for resource consent for a discretionary activity and only the effects of the change or cancellation are assessed. For more information refer to Section 127 of the Resource Management Act (1991) (RMA) or section 127 fact sheet.

It is strongly recommended that you engage a suitably qualified consultant or expert to assist in the preparation of your application. If it is not prepared by someone with appropriate experience, it may not contain all the necessary information to enable the ARC to properly consider the effects on the environment.

The form contains a checklist so that information gaps can be easily identified. Place a tick ✓ in the box if you have provided the information and identify where it is located in the report.

## Submitting the Completed Application

Send **four copies (one unbound)** of the completed form together with any additional supporting information e.g. specialist consultant reports, calculations etc and the correct deposit/fee to the address shown above. Your application will not be accepted for processing until all information and the correct fee/deposit is received. All cheques should be made payable to: Auckland Regional Council.

**Note:** All information provided in your application is official information and is available to the public. Access to official information held by the ARC is administered in accordance with the Local Government Official Information and Meetings Act (1987) and the Privacy Act (1993).

### For Office Use Only

Consent No: \_\_\_\_\_

WBS: \_\_\_\_\_

Customer No: \_\_\_\_\_

Fee / Deposit Paid: \$ \_\_\_\_\_

Receipt No: \_\_\_\_\_

File No: \_\_\_\_\_

Site Address: \_\_\_\_\_

Applicant: \_\_\_\_\_

## Consent and Contact Details

Pursuant to sections 127 and 88 of the RMA the undersigned hereby applies for a change or cancellation of conditions of a resource consent(s) / permit(s) in accordance with the details and information set out below:

<b>ARC Accepts / Rejects</b>	<p><b>Consent Holder</b></p> <p><b>Only the consent holder can apply for a change or cancellation of a consent.</b></p> <p><i>Note: No application can be made for a change or cancellation of a condition on the duration of a consent</i></p>
	<p><b>1.0 Applicant / Consent Holder Contact Details</b></p>
	<p><b>1.1 <u>Full</u> Name of Applicant(s) / Consent Holder:</b> _____</p> <p><i>(Note: Give the name in which the consent is held)</i> _____</p>
	<p><b>1.2 Postal Address:</b> _____</p> <p>_____</p> <p style="text-align: right;"><b>Postal Code:</b> _____</p>
	<p><b>1.3 Street Address: (if different from above)</b> _____</p> <p>_____</p> <p style="text-align: right;"><b>Postal Code:</b> _____</p>
	<p><b>1.4 Phone Numbers</b></p> <p><b>Business:</b> _____</p> <p><b>Mobile:</b> _____</p> <p><b>Fax:</b> _____</p>
	<p><b>1.5 Email address:</b> _____</p>
	<p><b>1.6 Name of Contact Person:</b> _____</p>
	<p><b>2.0 Consent Details</b></p>
	<p><b>2.1 Consent Number:</b> _____ <b>Date Issued:</b> _____</p>
	<p><b>2.2 File Reference:</b> _____</p>
	<p><b>2.3 Location/Site Address:</b> _____</p> <p>_____</p> <p style="text-align: right;"><b>Postal Code:</b> _____</p>

ARC Accepts / Rejects	
	<p><b>2.4 Authorised Activity:</b> <i>(describe the activity authorised by the consent)</i></p> <p>_____</p> <p>_____</p> <p>_____</p>
	<p><b>3.0 Consultant / Agent Details</b> <i>(if applicable)</i></p> <p><b>Explanation</b> If you are using a consultant or agent for the application, fill in their details below otherwise leave it blank.</p>
	<p><b>3.1 Name of Consultant:</b></p>
	<p><b>3.2 Postal Address:</b> _____</p> <p style="text-align: right;"><b>Postal Code:</b> _____</p>
	<p><b>3.3 Street Address:</b> <i>(if different from above)</i></p> <p>_____</p> <p style="text-align: right;"><b>Postal Code:</b> _____</p>
	<p><b>3.4 Phone Numbers</b></p> <p><b>Business:</b> _____</p> <p><b>Mobile:</b> _____</p> <p><b>Fax:</b> _____</p>
	<p><b>3.5 Email Address</b></p>
	<p><b>4.0 Address for Service / Correspondence</b></p> <p><b>Explanation</b> The address for service may be either applicant, consent holder or the consultant/agent. Any written or verbal communication will be directed to this contact person.</p> <p><b>Note: All invoices relating to this application will be sent to the applicant.</b></p>
	<p><b>4.1</b> All correspondence relating to the application should be sent to:</p> <p>Applicant <input type="checkbox"/>                      Consultant / Agent <input type="checkbox"/></p> <p>Other <input type="checkbox"/> <i>(provide details)</i> _____</p> <p>_____</p>

<b>ARC Accepts / Rejects</b>	
	<b>5.0 Property Ownership / Occupancy</b>
	<p><b>5.1</b> Tick the appropriate box:</p> <p>I/we are the <input type="checkbox"/> Owner <input type="checkbox"/> Occupier <input type="checkbox"/> Lessee <input type="checkbox"/> Prospective Purchaser</p> <p><input type="checkbox"/> Other (<i>specify</i>) _____</p>
	<p><b>5.2</b> Provide the names and addresses of owners and occupiers of the property e.g. tenants, lessees (if other than the applicant):</p> <p>Owners: _____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>Occupiers/Tenants: _____</p> <p>_____</p> <p>_____</p> <p>_____</p>
	<p><b>Property Details</b></p> <p><b>Explanation</b></p> <ul style="list-style-type: none"> <li>• Give the address of the property where the consented activity occurs and which is the subject of this change application e.g. where the water is used, where the discharge originates from, where the earthworks are done etc.</li> <li>• Describe the location in a manner that allows it to be readily identified e.g. street address, legal description, harbour, bay, stream names and proximity, aerial photos, valuation reference.</li> <li>• A copy of the Certificate of Title may be obtained from Land Information NZ.</li> <li>• The Locality Plan should be to a scale of 1:500 or an aerial photo and clearly show the site and environs.</li> <li>• The Site Plan should show all property boundaries, roads, waterbodies (including streams, wetlands, drains), vegetation, other significant landmarks, be to an appropriate scale which allows it to be readily identified and show a scale and north point. It must also show the author/designer and be named and dated (refer checklist).</li> </ul>
	<b>6.0 Location</b>
	<p><b>6.1</b> Address of Property: _____</p> <p>_____</p> <p>_____</p> <p>_____</p>

ARC Accepts / Rejects	
	<p><b>6.2</b> Legal Description:            Lot _____ DP _____ CT _____            Other _____  <i>(A <b>Certificate of Title</b> less than 3 months old must be attached)</i></p>
	<p><b>6.3</b> Give New Zealand Transverse Mercator (NZTM) Map Reference: _____</p>
	<p><b>6.4</b> Other relevant location Information if appropriate:  <i>(e.g. valuation reference, proximity to landmarks)</i> _____            _____</p>
	<p><b>6.5</b> Total Property Area: _____ (hectares/m<sup>2</sup>)</p>
	<p><b>6.6</b> Attach a Locality Plan: <input type="checkbox"/> Plan attached.  <i>(Use appropriate scale e.g. 1:500 or aerial photo showing the physical location of the subject site and include a scale bar and pages size reference)</i></p>
	<p><b>6.7</b> Site Plan (provide one set of plans reduced to A3) - show the following on the Site Plan (where relevant):</p>
	<p><b>6.7.1</b> Title Box including:</p> <ul style="list-style-type: none"> <li>• The name of the person and/or company that prepared the plans.</li> <li>• Address of property.</li> <li>• Date plans were drawn.</li> <li>• Unique plan reference or identification or variation number where relevant.</li> <li>• Variation number.</li> </ul>
	<p><b>6.7.2</b> Legend explaining symbols on the Site Plan.</p>
	<p><b>6.7.3</b> North point (orientated to the top of the page if possible).</p>
	<p><b>6.7.4</b> Total site area in hectares or m<sup>2</sup>.</p>
	<p><b>6.7.5</b> Appropriate metric scale e.g. 1:2000 (1cm = 20m) and page size reference (e.g. @ A3).</p>
	<p><b>6.7.6</b> Property boundary dimensions – existing and future <i>(where relevant)</i>.</p>
	<p><b>6.7.7</b> Road frontages and names.</p>
	<p><b>6.7.8</b> Location of existing and proposed structures, roads, buildings, fences etc.</p>
	<p><b>6.7.9</b> Location of proposed or existing activities e.g. drainage (public and private wastewater and stormwater and water meters), dams, earthworks, bore, vegetation removal, stream re-alignment, culverts, structures etc.</p>
	<p><b>6.7.10</b> Existing and finished ground levels for either the whole site or the relevant work area natural ground level datum points, contours and spot heights (to LINZ datum) where appropriate contours to extend across boundaries.</p>





ARC Accepts / Rejects	
	<b>10.2</b> Is there a locked gate or security system restricting access by council staff? Yes <input type="checkbox"/> No <input type="checkbox"/>
	<b>10.3</b> Do you have a dog on the property that may worry inspecting council staff? Yes <input type="checkbox"/> No <input type="checkbox"/>
	<p><b>11.0 Consultation</b></p> <p><b>Explanation</b>  The RMA does not require that an applicant consults with anyone. However, it is good practice to consult with those who you or the ARC think may be affected or are interested in your proposal as it can help identify effects and where further information may be required and lead to improved environmental outcomes. Consulting and talking to people that may be affected or interested in your proposal may speed up the consent process and may mean less time and costs incurred. The ARC is also required to consider the tangata whenua interests recognised in the RMA when making decisions on resource consent applications.</p> <p>Although it is not mandatory to consult, the RMA requires that you must report on any consultation undertaken. The results of consultation can assist the council in making a decision on the application, particularly with regard to notification.</p> <p>For more information on consultation refer to the fact sheet "Consultation".</p> <p><i>Where consultation has taken place with iwi (contact ARC staff if you are unsure who your local Iwi contact is) or any other interested persons, details of the consultation undertaken, including the views of those consulted and your response to their concerns/issues must be provided. Copies of any correspondence confirming this consultation must be attached to this form B.</i></p>
	<b>11.1</b> Have you consulted with Iwi? Yes <input type="checkbox"/> No <input type="checkbox"/>
	<b>11.2</b> Have you undertaken any other consultation? Yes <input type="checkbox"/> No <input type="checkbox"/>
	<p><b>12.0 Written Approvals of Persons likely to be Adversely Affected</b></p> <p><b>Explanation</b>  Note that the final assessment of who is an affected person in relation to the proposal will be made by the ARC once the application is lodged and you may be requested to provide additional written approvals. However, council can assist you in identifying potentially affected persons prior to lodgement. For the purposes of determining who is adversely affected by a change or cancellation, council must consider every person who made a submission on the application and who may be affected by the application.</p> <p>It is important to note that in determining who is an affected person, it is the effects of the <b>change or cancellation</b> that must be considered, <b>not the activity</b> itself.</p>
	<b>12.1</b> If you have identified any persons likely to be adversely affected by this application then fill out the "Written Approval of Affected Parties" form.
	<b>12.2</b> Signed Approval Form attached <input type="checkbox"/>

ARC Accepts / Rejects	
	<p><b>12.3</b> Reasons why you consider they are affected: _____          _____          _____</p>
	<p><b>12.4</b> Signed plans attached <input type="checkbox"/></p>
	<p><b>12.5</b> Provide details if anybody refused to give their written approval:</p> <p>Name: _____ Position: _____          Postal Address: _____          Site Address: _____          Their concerns: _____          _____</p>
	<p><b>13.0 Application Fee</b></p> <p><b>Explanation and Terms relating to Fees</b>          A minimum fee / deposit is payable on lodgement of all applications. A schedule of the fees / deposits has been determined by the ARC for the different resource consent applications. Note that applications by private trusts and other groups entities require the personal guarantees of the trustees and/or officers for the payment of costs to be submitted with the application.</p> <p>Although council endeavours to set the base fee/deposit accurately and realistically, council is entitled to recover the <i>“actual and reasonable costs”</i> of processing the application pursuant to section 36(3) of the RMA. Such additional fees may be invoiced during or at the end of the application process.</p> <p>The exception is the fee for a bore application which is for one bore only and is a flat fee for one bore only. This means that any additional costs incurred in processing the application will not be charged for or if the processing costs are less than the deposit fee paid, no refunds will be given.</p> <p>The final fee is based on the actual and reasonable costs including disbursements and where this fee exceeds the initial fee / deposit the additional fee is subject to objection and appeal under section 357B of the RMA.</p> <p>All fees (other than the initial/minimum fee / deposit which must be paid at lodgement time) shall be paid in full before the resource consent is issued.</p> <p>Any actual and reasonable costs including but not limited to legal cost, debt collection fees and disbursements incurred by the ARC as a result of any default in payment shall be recoverable from the applicant and is so notified in accordance with the Credit Contracts and Finance Act (2003) should payment default occur. The council may also, if necessary, provide your personal information to a credit reporter in order to employ it in its debt collection services in compliance with the Credit Reporting Privacy Code (2004).</p> <p>Where you fail to make payment of any amount on the due date, you may be required to pay interest on any outstanding debt from a rate equal to the current overdraft interest rate the ARC has with its principal bank.</p>

<b>ARC Accepts / Rejects</b>				
	<p>Resource consents/permits usually attract an annual fee to recover the reasonable costs of council's monitoring, supervision and administration of the consent during its term.</p> <p>Cheques must be made payable to: <b>Auckland Regional Council</b>.</p>			
	<b>Change or Cancel Condition of Consent</b>	<b>Fee to attach (circle relevant fee)</b>		<b>Applied ✓</b>
		<b>Non-Notified</b>	<b>Notified</b>	
	<b>To change or cancel condition</b>	<b>\$ 1,000</b>	<b>\$ 3,000</b>	
	<b>(add all circled fees) TOTAL FEE(s) TO PAY</b>	<b>\$</b>	<b>\$</b>	
	<input type="checkbox"/> <b>Tick if attached</b>			
	<b>14.0 Declaration</b> <i>(to be completed by applicant / consent holder)</i>			
	<p>I/we have read, understand and accept the terms and conditions outlined throughout this application form and I hereby certify that to the best of my knowledge and belief the information given in this application is true and correct. I/we undertake to pay all actual and reasonable processing costs incurred by the ARC and I/we am aware of the consequences of failing to pay as outlined above.</p>			
	Signature:		Signature:	
	Full Name (print):		Full Name (print):	
	Date:		Date:	
	<i>Continue with trustees' and authorised officers signatures below, as necessary</i>			
	<p>Personal details and signatures of trustees* or officers authorised to sign on behalf of and to bind trusts, societies, and unincorporated entities.</p> <p style="text-align: right;">*Private and family trusts only</p>			
	Full Name and Status: (Trustee, Officer etc)  Full Residential Address:   Signature:	<hr/> <hr/> <hr/> <hr/>		
	Full Name and Status: (Trustee, Officer etc)  Full Residential Address:   Signature:	<hr/> <hr/> <hr/> <hr/>		
	Full Name and Status: (Trustee, Officer etc)  Full Residential Address:   Signature:	<hr/> <hr/> <hr/> <hr/>		

ARC Accepts / Rejects	15.0	<b>Checklist</b> – complete this checklist to ensure that you have provided all necessary information	<b>Applicant Attached</b> ✓
	1	Completed form signed and dated, name for accounts and details of trustees, supplied and all relevant questions answered.	
	2	Consent number and file number given.	
	3	Four copies ( <i>one unbound</i> ) of this form and all supporting information including engineering / design plans and all necessary details of the activity to enable it to be checked for compliance with the relevant plan.	
	4	Electronic copy of specialist reports and / or AEE report.	
	5	One set of plans reduced to A3.	
	6	Current copy of Certificate of Title. ( <i>less than three months old</i> )	
	7	Valuation reference and proximity to landmarks.	
	8	Map reference NZTM/GPS.	
	9	Full description of proposed change or cancellation.	
	10	Proposed new conditions stated.	
	11	Locality Plan.	
	12	Site Plan.	
	13	Details of any consultation undertaken.	
	14	'Affected Persons' approval attached. ( <i>if relevant</i> )	
	15	Correct application deposit fee enclosed.	