



Far North
District Council

APPLICATION FOR LICENCE TO OCCUPY A PORTION OF ROAD

Local Government Act 1974

TO: Property Legalisation Officer of the Far North District Council.

I, _____ (“the applicant”)
of _____ (address)

hereby apply for Far North District Council’s (“Council”) permission to occupy a portion of
road adjoining (legal description of adjoining property)

This application refers to a proposed / existing encroachment.

Applicant signature

Date

CONDITIONS

1. The Council gives no tenure to any land occupied and any fences or other erections thereon must be removed as and when so required by the Council.
2. The applicant must not remove any metal, sand, soil or similar materials from the land.
3. The Council and any Government Department or Local Body functioning in the locality may enter upon the occupied land and do such things as if no occupation existed and be not held responsible to the applicant for any damage or loss thereby occasioned, nor will the applicant have any claim for damage extending on to his land if this results from inadvertence occasioned by the true boundary line not being clearly defined.
4. When required by the Council so to do the applicant will, at his own cost, and without delay, disclose the true position of survey pegs or renew any which may have been destroyed or displaced.
5. No construction shall commence until resource and building consent(s) have been approved by Council.
6. The area occupied must be to the approval of the Roding and Drainage Engineer but the fact of such approval will place no onus on the Council or relieve the applicant of any of the responsibilities herein stated or implied.
7. The applicant must furnish the Council with a plan showing the shape of the encroachment. It will be sufficient if this is a sketch plan with measurements showing the position in relation to the true boundary. A plan should be sent with the application but it is important that it should be checked after the encroachment has been effected. This plan will be filed by the Council for the purpose of reference and to assist in rediscovering the true boundary line at some future date. This requirement, however, places no responsibility on the Council.
8. Trees, shrubs, or live hedges must on no account be planted or maintained on any road enclosure.
9. The licensee shall take all reasonable precautions against accident or injury arising in respect of any person or property on the said land, and shall indemnify the Council against all legal actions or demands that may be brought against the Council in connection with the rights hereby granted

NOTE: An occupation plan must be attached to this application.

PLAN SHOWING THE SHAPE OF ENCROACHMENT

It will be sufficient if the sketch plan shows the position and measurements in relation to the true boundaries.

The True Boundary

Encroachment Boundary

